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Committee on Economic, Social and Cultural Rights

Consideration of reports submitted by States parties under articles 16 and 17 of the International Covenant on Economic, Social and Cultural Rights

Fifth periodic reports of States parties due in 2015

Mauritius*

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Introduction

1. The Treaty-Specific Document of the fifth periodic report of Mauritius on the International Covenant on Economic, Social and Cultural Rights, which covers the period June 2010 to December 2016, focuses on the progress made by the country in the implementation of the provisions of the Covenant since Mauritius was last reviewed in May 2010 by the Committee on Economic, Social and Cultural Rights. The report also includes the actions taken by the State to implement, as far as possible, the concluding observations made by the Committee following the consideration of the combined second to fourth periodic reports of Mauritius during the last review.

Part I

Article 1 — Self-determination

2. Mauritius became a sovereign State upon obtaining independence in 1968 and achieved a republican status in 1992. Section 1 of the Constitution recognizes this sovereign status. The State of Mauritius holds free and fair national and local elections at regular intervals. The conduct of these elections is supervised by an independent Electoral Supervisory Commission.

3. The Republic of Mauritius includes the islands of Mauritius, Rodrigues, Agalega, Tromelin, Cargados Carajos and the Chagos Archipelago, including Diego Garcia and any other island comprised in the State of Mauritius.

The Chagos Archipelago

4. The Chagos Archipelago, including Diego Garcia, forms an integral part of the territory of Mauritius under both Mauritian law and international law. Although Mauritius has sovereignty over the Chagos Archipelago, it is being prevented from exercising its rights over the Chagos Archipelago because of the unlawful control of the United Kingdom over the Archipelago.

5. The Government of Mauritius does not recognise the so-called "British Indian Ocean Territory" which the United Kingdom purported to create by illegally excising the Chagos Archipelago from the territory of Mauritius prior to its accession to independence. This excision was carried out in violation of international law and the United Nations Declaration on the Granting of Independence to Colonial Countries and Peoples (General Assembly Resolution 1514 (XV) of 14 December 1960), prohibiting the dismemberment of any colonial territory prior to independence, and General Assembly Resolutions 2066 (XX) of 16 December 1965, 2232 (XXI) of 20 December 1966 and 2357 (XXII) of 19 December 1967.

6. Since this illegal excision, Mauritius has relentlessly pursued all efforts for the completion of its decolonisation process, thereby enabling Mauritius to effectively exercise its sovereignty over the Chagos Archipelago. In this context, Mauritius has continuously received the support of the African Union and the Non-Aligned Movement which have constantly recognized the sovereignty of Mauritius over the Chagos Archipelago.

7. On 20 December 2010, Mauritius initiated proceedings against the United Kingdom under Article 287 of, and Annex VII to, the United Nations Convention on the Law of the Sea (UNCLOS) to challenge the legality of the 'marine protected area' ('MPA') purportedly established by the United Kingdom around the Chagos Archipelago. The Arbitral Tribunal constituted under Annex VII to UNCLOS, to hear the dispute delivered its Award on 18 March 2015 and unanimously held that the 'MPA' violates international law. It ruled that in establishing the 'MPA', the United Kingdom breached its obligations under Articles 2(3), 56(2) and 194(4) of UNCLOS. Moreover, two of the members of the Tribunal confirmed that Mauritius has sovereignty over the Chagos Archipelago. No

contrary view was expressed by the other three arbitrators who held that they did not have jurisdiction to address that issue.

8. The excision of the Chagos Archipelago from the territory of Mauritius also involved the shameful eviction by the British authorities of the Mauritians who were residing at the time in the Archipelago ('Chagossians') in total disregard of their human rights in order to pave the way for the establishment of a US military base in Diego Garcia. Most of the Chagossians were removed to Mauritius.

9. Chagossians, being fully-fledged citizens of Mauritius, enjoy the same rights as other Mauritian citizens. However, with a view to improving the well-being of the Chagossians, the Government of Mauritius has taken and continues to take special measures in their favour. These measures include the donation of land for the construction of houses and the setting up of the Chagossian Welfare Fund. In 2012, the Chagossian Welfare Fund Act was amended to provide for children of members of the Chagossian community to be eligible to stand as candidates and to vote at elections for members of the Board of the Fund.

10. The Government of Mauritius recognises the legitimate right and claim of the former inhabitants of the Chagos Archipelago, as Mauritian citizens, to be resettled in the Archipelago. The Government of Mauritius will continue to press for the completion of the decolonisation process of Mauritius and the early and unconditional return of the Chagos Archipelago to the effective sovereign control of Mauritius, whilst firmly supporting the right of return of the Chagossians and other Mauritians to the Archipelago.

Island of Tromelin

11. Mauritius has always maintained that the Island of Tromelin forms an integral part of its territory and has consistently asserted its sovereignty over the island, including its maritime zones. There exists, however, a dispute between Mauritius and France over Tromelin as France claims sovereignty over the island.

12. On 07 June 2010, Mauritius signed with France a Framework Agreement on Economic, Scientific and Environmental Co-management relating to the Island of Tromelin and its Surrounding Maritime Areas as well as three Implementing Agreements relating to archaeological research, environmental protection and fisheries resources respectively. These Agreements which have been concluded without prejudice to the sovereignty of Mauritius over Tromelin have not yet entered into force.

Right to the free disposal of natural wealth and resources

13. On 01 December 2008, the Republic of Mauritius and the Republic of Seychelles made a joint submission, in relation to the Mascarene Plateau region, to the UN Commission on the Limits of the Continental Shelf (CLCS), in accordance with Article 76, paragraph 8, of the UN Convention of the Law of the Sea (UNCLOS). On 30 March 2011, the CLCS made recommendations on the Limits of the Continental Shelf in regard to the joint submission made by Mauritius and Seychelles concerning the Mascarene Plateau region. These recommendations enabled the Republic of Mauritius and the Republic of Seychelles to explore and exploit the marine resources in the joint extended continental shelf area of approximately 396,000 square kilometres in the Mascarene Plateau region. On 12 March 2012, the two coastal States have entered into two bilateral treaties with a view to jointly managing, exploring and exploiting the natural resources found within the said extended continental shelf.

Part II

Article 2 — Recognition and implementation of rights under this Covenant

14. Chapter II of the Mauritius Constitution guarantees the enjoyment of fundamental rights and freedoms which include the right to life, the right to personal liberty, protection

from slavery and forced labour, protection from inhuman treatment, protection from deprivation of property, protection for privacy of home and other property, protection of the law, freedom of conscience, freedom of expression, freedom of assembly and association, freedom of movement and prevention from discrimination.

15. Section 3 of the Constitution of Mauritius entitled "Fundamental rights and freedoms of the individual" establishes the right of every citizen to be treated equally and to live a life free from discrimination. It prohibits discrimination on, inter alia, the ground of caste, colour, creed and race. It also provides that no law shall be discriminatory either in itself or in its effect.

16. Section 16 of the Constitution, inter alia, provides that no law shall make any provision that is discriminatory either of itself or in its effect. The section defines the term "discriminatory" as affording different treatment to different persons attributable wholly or mainly to their respective descriptions by race, caste, place of origin, political opinions, colour, creed or sex whereby persons of one such description are subjected to disabilities or restrictions to which persons of another such description are not made subject to or are accorded privileges or advantages that are not accorded to persons of another such description.

17. Section 17 of the Constitution provides that a citizen who alleges that his right under Chapter II of the Constitution is being or is likely to be contravened, may apply to the Supreme Court for redress. [Please also refer also to information on Non-Discrimination in the Common Core Document].

18. Non-nationals are subject to the laws of the country and, whilst they are in Mauritius, the same rights and freedoms apply to them as they would apply to Mauritian nationals. Section 16 of the Constitution also provides that there may be laws that provide specifically for persons who are not citizens of Mauritius, for example with regards to immigration, property rights and work related issues.

19. Section 24 of the Constitution (as amended in 1995) ensures that the right to be registered as a citizen of Mauritius now applies equally to the foreign husband of a Mauritian woman as it did to the foreign wife of a Mauritian citizen.

20. The Immigration Act regulates the admission and stay of people in Mauritius. It provides for the conditions under which a person may be allowed to enter Mauritius or, being in Mauritius, may be allowed to remain there.

21. A non-citizen, may, upon satisfying certain conditions under section 5 of the Immigration Act, have the status of resident. Such a person includes Commonwealth citizen, the spouse of a citizen, his dependent children, a person who holds immovable property under the Integrated Resort Scheme under the Real Estate Development Scheme prescribed under the Investment Promotion Act, a person registered as an investor, a self-employed non-citizen or a retired non-citizen with the Board of Investment, and the holder of a residence permit issued by the Prime Minister. A Resident is allowed to enter Mauritius or, being in Mauritius, to remain there so long as he holds the status of a resident.

Persons residing in Mauritius by virtue of an occupation permit

22. Any investor, self-employed non-citizen, employer of a professional or retired non-citizen may, through the Board of Investment, apply to the immigration officer for an occupation permit authorising the investor, self-employed non-citizen, professional, or retired non-citizen, as the case may be, to become a resident. Any individual who is a non-citizen may, through the Board of Investment, apply to the immigration officer for a short-term occupation permit authorising him to become a resident.

Permanent residents

23. Under section 5A of the Immigration Act, any person not being a citizen (subject to the other provisions of section 5A and section 6A of the Immigration Act), may, on application to the Minister (to whom responsibility for the subject of immigration is assigned) be granted the status of permanent resident where:

(a) He is an investor, a self-employed non-citizen or retired non-citizen;

(b) He invests at least 500 000 US dollars, or its equivalent, in any other hard convertible foreign currency in an activity specified in Part IV of the Schedule to the Investment Promotion Act;

(c) He is a member of the Mauritian Diaspora under the Mauritian Diaspora Scheme;

(d) He is a spouse or dependent of a person to whom the above paragraphs apply;

(e) He is the wholly dependent next of kin of an unmarried person to whom paragraphs (a) to (c) apply.

24. The Permanent Residence Permit issued actually is for a period of 10 years. With regard to a non-citizen who has purchased an Integrated Resort Scheme villa, a Permanent Residence Permit is granted so long as he still possesses the villa. A Permanent Resident shall be allowed to enter Mauritius or, being in Mauritius, to remain there so long as he holds the status of Permanent Resident.

Exempted persons

25. An Exempted Person is a person who may be conditionally admitted to Mauritius. Such a person includes, amongst others, diplomatic or consular officers, tourists or other visitors or persons coming for business (who are admitted for a period of 60 days), and a person who is an investor under the Permanent Resident Scheme prescribed under the Investment Promotion Act. An Exempted Person shall be allowed to enter Mauritius or, being in Mauritius, to remain there so long as he holds his status of Exempted Person.

26. Section 8 of the Immigration Act makes provisions for persons who are deemed to be prohibited immigrants and shall not be admitted to Mauritius. These include, amongst others, persons who have been convicted, habitual beggars or vagrants, persons who are likely to become a charge on public funds, persons are likely to be a charge on public funds and persons declared suspected international terrorists under the Prevention of Terrorism Act.

Article 3 — Gender equality

27. In addition to the constitutional protection afforded under Chapter II of the Constitution, there are other laws that advocate gender equality such as the Equal Opportunities Act. Moreover, in line with the provisions of the ILO Convention No. 100 and Article 11 of the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), section 20 of the Employment Rights Act 2008 was amended in June 2013 to read as follows:

(1) Every employer shall ensure that the remuneration of any worker shall not be less favourable than that of another worker performing ***work of equal value****.*

(2) Where an employer has recourse to the services of a job contractor, the job contractor shall ensure that the remuneration of any worker shall not be less favourable than that of another worker performing ***work of equal value****.*

28. A National Gender Policy Framework for mainstreaming gender equality was formulated in 2008, which is a generic document calling upon all line ministries to mainstream gender concerns within their respective policies and programmes. The Ministry of Gender Equality, Child Development and Family Welfare, with the support of the United Nations Development Programme has provided technical support to these ministries to develop their sectoral gender policies.

29. Mauritius is also committed to an increased participation of women in the political arena. There has been a marked increase in the number of women participating in the last national elections in 2014, whereby out of 726 candidates, 127 were women as compared to 58 in 2010. The percentage increase is shown in the Table below:

	2010		2014	
Candidates	*Number*	*%*	*Number*	*%*
Men	471	89.0	599	82.5
Women	58	11.0	127	17.5
Total	**529**	**100.0**	**726**	**100.0**

Source: Electoral Commissioner's Office.

30. Following the enactment of the Local Government Act in 2012 which stipulates that at least 1 out of 3 candidates to be fielded for elections at Local/Municipal level should be of the opposite sex, there has been a significant leap in the number of women participating in Municipal and Village Council elections. At Municipal level, there has been an increase from 28.2% in 2012 to 31.68% in 2015. At Village Council level, the increase has been from 5 % in 2005 to 30.3% in 2012. In 2015, Government further amended section 11(6) of the Local Government Act and replaced it by sections 11(6)(a) and 11(6)(b). Section 11(6)(a) reads as follows:

> *"Every group presenting more than 2 candidates at an election of a Municipal City Council or Municipal Town Council shall ensure that not more than two thirds of the group's candidates for election to that Council are of the same sex."*

31. With a view to empowering women Councillors in the decision-making process of Local Authorities, the Ministry of Gender Equality, Child Development and Family Welfare, in collaboration with the Ministry of Local Government, organised a two-day capacity building programme for some 50 women Municipal Councillors in November 2016. A similar training programme is scheduled in 2017 for Village Women Councillors.

32. Section 11(6)(b) of the Local Government Act catered for the common situation that a group may form part of an alliance and thus provides:

> *"Where the group forms part of an alliance, it shall be sufficient for the alliance to comply with paragraph (a) without each group forming part of the alliance necessarily complying with that paragraph."*

33. As regard women's representation in decision-making bodies, same is illustrated in Table below:

Grade	*Number*	*Percentage*
Ministers[1]	2 out of 24	8.3
Members of Parliament[2]	8 out of 70	11.4
Ambassadors[3]	1 out of 19	5.3
Senior Chief Executives[4]	3 out of 7	42.9
Permanent Secretaries[4]	16 out of 38	42.1
Deputy Permanent Secretaries[4]	38 out of 79	48.1
Assistant Permanent Secretaries[4]	53 out of 95	55.8
Judges[5]	10 out of 21	47.6
Magistrates[5]	24 out of 36	66.7

Information from Statistical Unit.

[1] PMO as at 31 January 2017.

[2] General Elections, December 2014.

[3] The current Secretary for Foreign Affairs is a woman.

[4] PMO, as at 13 January 2017.

[5] Employment Survey in Government Services, March 2016.

Article 4 — Promotion of general welfare

34. Although the Constitution does not expressly provide for economic, social and cultural rights, yet these rights are catered for under other pieces of legislation, for example, the right to work is provided for under the Employment Rights Act, the right to health in the Mauritius Mental Health Care Act and the Food Act, the right to education in the Education Act. Furthermore, Mauritius being a Welfare State, already provides free education; free access to health services, social aid to vulnerable groups and pension benefits to the elderly.

35. Standards of Occupational Safety and Health at places of work have been enhanced. The Occupational Safety and Health Act has reinforced and updated the legislation on safety and health at work in order to adapt it to the changes in the working conditions of employees brought about by the introduction of new technologies and new equipment. The legislative framework pertaining to Occupational Safety and Health has been further reinforced by the Occupational Safety and Health (Safety of Scaffolds) Regulations 2015 which aims at further improving the standard of safety and health on construction sites, especially in relation to the erection, maintenance, alteration, repair, use, dismantling of scaffolds.

Article 5 — Non restriction of other human rights

36. Chapter II of the Constitution guarantees the enjoyment of fundamental rights and freedoms which include the right to life, the right to personal liberty, protection from slavery and forced labour, protection from inhuman treatment, protection from deprivation of property, protection of the law, protection for privacy of home and other property, freedom of conscience, freedom of expression, freedom of assembly and association, freedom of movement and protection from discrimination.

Part III

Articles 6 and 7 — Right to work

37. The Employment Rights Act which has replaced the Labour Act 1975, with effect from 02 February 2009, has revised and consolidated the legal provisions relating to employment, contract of employment or service, termination of employment, minimum age for employment, hours of work, payment of remuneration and other basic terms and conditions of employment, thereby ensuring a better protection of workers' rights.

38. Under the Employment Rights Act, the normal day's work of a worker (other than a part-time worker or a watchperson) consists of 8 hours' actual work. A worker and an employer can agree that the worker works in excess of the stipulated hours without added remuneration, if the number of hours covered in a fortnight does not exceed 90 hours, or such lesser number of hours as may be specified in such agreement. A worker is entitled to a rest day of at least 24 consecutive hours in every period of 7 consecutive days. Every worker shall be entitled to a rest of not less than 11 consecutive hours in any day. Every employer is, unless otherwise agreed, entitled to a meal break of one hour not later than 4 consecutive hours of work and one tea break of at least 20 minutes or two tea breaks of at least 10 minutes each. A young person cannot be employed in an industrial undertaking between 10.00 p.m. and 05.00 a.m.

39. The Ministry of Labour, Industrial Relations, Employment and Training (MLIRET) has implemented 3 training programmes in collaboration with the Skills Working Group (SWG), which is a joint public-private initiative, and the Human Resource Development Council (HRDC) which is the body responsible for looking into refund of stipends for participants and relevant training costs. These programmes have been developed to address the issue of shortage of skills in the local labour market and it is expected that this measure will help in addressing the increasing unemployment rate in Mauritius. These programmes

are the Youth Employment Programme (YEP), the Back to Work Programme (BTWP) and the Dual Training Programme (DTP).

40. The YEP targets unemployed young persons who are aged between 16-30 years. The objectives of this programme are the successful training and placement of unemployed youth for a period of one year to acquire employability skills. As from July 2014, the possibility to extend this placement up to two years has been included in this scheme.

41. The DTP is a unique scheme which allows unemployed school leavers (having followed at least up to Higher School Certificate level) to follow formal training programmes in recognized training institutions leading to diploma/degree courses to join the labour market while getting work exposure at the same time.

42. According to the Government Programme 2015-2019, the "Back to Work Programme (BTWP)will be implemented to facilitate Mauritian women above 30 years of age, after career breaks, to take up/ continue employment, in private enterprises or with individual employers. Ultimately this will help women gain back their self-confidence and learn to integrate or re-integrate the labour market by undergoing a training programme.

43. As regard the working conditions, every employer shall pay remuneration to a worker at monthly intervals, unless the parties agree to payment at shorter intervals. The relevant legislation has been amended accordingly as already mentioned under Article 3 above.

44. The Employment Rights Act has also been amended with a view to, inter alia:

(a) Creating a legal framework for the operation of the regime of fixed term contracts of employment to prevent employers from having recourse to such contracts abusively;

(b) Extending the grant of paid annual and sick leave to workers reckoning between more than 6 months' and less than 12 months' continuous employment;

(c) Reviewing the process of disciplinary hearing to ensure that such hearing is held in a fair and independent manner;

(d) Introducing the concept of reinstatement in cases of unfair termination of employment on grounds of redundancy, discrimination and victimisation for participation in trade union activities;

(e) Providing for the setting up of an independent Employment Promotion and Protection Division within the Employment Relations Tribunal to determine, within a specific time frame, whether cases of redundancy or closing down of enterprises are justified or not;

(f) Providing for the payment of a death gratuity in case of death of workers reckoning not less than 12 months' continuous employment; and

(g) Increasing the quantum of meal allowance from 50 rupees to 70 rupees per day where a worker is required to perform more than 2 hours overtime after having completed a normal day's work.

45. The Employment Relations Act also focuses on, inter alia, the protection and enhancement of the democratic rights of workers and trade unions, the promotion of collective bargaining, the promotion of voluntary settlement and peaceful resolution of disputes, the strengthening of the disputes and conflicts resolution procedures and institutions to ensure speedy and effective settlement; the right to strike, as a last resort, after conciliation and mediation have failed and the building of a productive employment relationship.

46. All legal and administrative provisions regarding health and safety at the work place are governed by the Occupational Safety, Health and Welfare Act, which provides the mechanism for the control of unsafe working conditions and gives pre-eminence to the duty of employers to ensure safe working conditions and the safety, health and welfare of all employees. No category of worker is excluded from the scope of existing safety and health legislations.

The establishment of a National Minimum Wage

47. Tripartite discussions on the issue of National Minimum Wage have been initiated at the level of the Technical Committee on 'Labour and Industrial Relations Issues' which is one of the sub-committees set up under the National Tripartite Forum. In view of the implications and complexities of the subject, the Ministry of Labour, Industrial Relations, Employment and Training (MLIRET) has subsequently commissioned a study for the introduction of a National Minimum Wage in the private sector with the full support of the ILO. The main objective of the study was to analyse the wage fixing system in the private and public sectors and the wage levels in both sectors with a view to making recommendations for the introduction of a national minimum wage in the private sector in Mauritius.

48. The MLIRET had examined the recommendations of the final report and a Committee was set up to examine the different policy options regarding the process to be followed in view of introducing a minimum wage. In the light of the recommendations made in the report and the proposals of the Committee, approval of Government had been obtained on 14 August 2015 for the setting up of a National Wage Consultative Council, with statutory powers, to carry out formal consultations and make recommendations to the Minister of Labour, Industrial Relations, Employment and Training on the introduction of a national minimum wage.

Annual compensation for rise in cost of living

49. Basic wages are adjusted annually to compensate workers for rise in the cost of living. To this end, an Additional Remuneration Act is passed every year, making such adjustment in wages mandatory for employees of the private sector. In principle, any increase in wages granted as a result of rise in the cost of living is extended to public sector employees.

Occupational health and safety

50. All legal and administrative provisions regarding health and safety at the work place are governed by the Occupational Safety, Health and Welfare Act, which provides the mechanism for the control of unsafe working conditions and gives pre-eminence to the duty of employers to ensure safe working conditions and the safety, health and welfare of all employees. No category of worker is excluded from the scope of existing safety and health legislations.

Article 8 — Right to free association

(a) Section 13 (1) of the Constitution guarantees, inter alia, the protection of freedom of association. It provides that except with his own consent, no person shall be hindered in the enjoyment of his freedom of association, that is to say, his right to associate with other persons and, in particular, to form or belong to trade unions or other associations for the protection of his interests.

(b) Section 13 (2) of the Constitution provides that laws can be made which restrict the freedom of association to the extent that the laws in question makes provision in the interests of defence, public safety, public order, public morality or public health, or for the purpose of protecting the rights or freedoms of other persons; or for the imposition of restrictions upon public officers. However, these laws will not stand the test of constitutionality if it is shown that they are not reasonably justifiable in a democratic society.

51. The Public Gatherings Act regulates the manner in which public gatherings shall be held or organised. Not less than 7 clear days' written notice of the public gathering should be given to the Commissioner of Police. The latter may impose any condition on the holding of the gathering and gives due consideration to matters of defence, public safety and public order.

52. The Employment Relations Act (EReA) enacted in September 2008 and proclaimed on 02 February 2009, replaced the Industrial Relations Act (IRA). The EReA regulates the registration and administration of trade unions, the settlement of industrial disputes, the promotion of harmonious industrial relations and provides for the establishment of an Employment Relations Tribunal, the Commission for Conciliation and Mediation and the National Remuneration Board.

53. The EReA is in line with freedom of association principles. Section 29 of the EReA protects the right of workers to freedom of association and stipulates that every worker shall have the right to: establish or join, as a member, a trade union of his own choice, without previous authorization and without distinction whatsoever or discrimination of any kind including discrimination as to occupation, age, marital status, sex, sexual orientation, colour, race, religion, HIV status, national extraction, social origin, political opinion or affiliation; and not to be a member, or refuse to be a member, of a trade union.

54. Section 16 of the EReA allows 2 or more trade unions to form a Federation where a resolution to that effect is approved in accordance with the rules of each trade union concerned. Moreover, 2 or more federations may form a confederation where a resolution to that effect is approved in accordance with the rules of each federation concerned. Section 17 of EReA provides that a trade union of workers may affiliate to and participate in the activities of international workers' organisations, make financial and other contribution to such organisations and receive financial and other assistance from them which relate to its objects.

55. The right of workers' and employers' organizations to organize their administration without the interference by the public authorities includes the right of trade unions to enjoy autonomy and financial independence from the authorities. Under section 28 of the EReA, the powers of enquiry of the Registrar of Association are limited to where the Registrar, has reasonable grounds to believe that the trade union is contravening its rules or any provision of the ERA or where he has received a complaint made by not less than one per cent of the members of a trade union so as not infringe the principles of freedom of association.

Strike

56. Under section 76 of the EReA, every worker has the right to strike and every employer may have recourse to a lock-out, where a labour dispute has been reported under section 64 and no agreement has been reached; the parties to the labour dispute have not elected to refer the dispute for voluntary arbitration under section 63; a strike ballot has been successfully taken in accordance with section 78; and a notice of the strike or lock-out has been given to the Minister in accordance with section 79.

57. Under section 77 (1) of the EReA, subject to section 76 (2), a person shall not take part in a strike or a lock-out where:

(a) The conditions and procedures applicable in pursuance of section 76 (1) have not been followed;

(b) The strike or lock-out occurs whilst a collective agreement or an award relating to wages, and terms and conditions of employment is in force; or a report of the Pay Research Bureau or a salary commission, by whatever name called, by which the person has opted to be governed, is in force in relation to remuneration or allowances of any kind;

(c) The labour dispute is one which is governed by section 70 (3);

(d) The labour dispute is reported by an individual worker;

(e) The minimum service required under section 81 has not been organised and put into effect;

(f) The Tribunal makes an order under section 86 (3); or

(g) The Supreme Court makes an order under section 82 (3).

58. Any strike or lock-out in contravention of subsection (1), shall be unlawful

Article 9 — Rights to social security

59. The social security system of Mauritius provides, in respect of contingencies like old age, invalidity, death of bread winner, sickness, unemployment and employment injury, for the provision of basic benefits, social aid, unemployment hardship relief, contributory pensions, industrial injury benefits and refund of contributions made to National Savings Fund.

Basic benefits — Non-contributory benefits

60. Non-contributory benefits which are entirely financed by government and are payable to every Mauritian citizen under certain residency conditions. These benefits include:

(a) Basic pensions which cater for the elderly (60 years and above), the invalids, the widows and the orphans, irrespective of their economic status; and

(b) Allowances such as Social Aid, Food Aid and Income Support, Unemployment Hardship Relief and Funeral Grant which are payable to the low-income group of the population.

Contributory pensions

61. Along with a basic pension, contributory pensions such as retirement pension, Widow's Pension, orphan's pension, are also payable to those who have contributed to National Pension Fund based upon certain criteria.

62. The number of private sector employers paying contributions to the National Pensions Fund and National Savings Fund (NSF) as at December 2016 is 15,261 and the number of employees in respect of whom contributions are paid is 286,328. Employees between 15 and 18 do not pay contributions. On attaining the age of 65, an employee who continues to work can opt to be paid his contributory retirement pension, in which case his employer must pay only his (the employer's) share of contributions. The employee can also opt to defer his claim for Contributory retirement Pension up to the age of 70 in which case both himself and his employer must continue to pay the appropriate rate of contributions.

Social Aid

63. Social Aid is an income-tested scheme. It is paid in cash or in kind to applicants who are temporarily unable to earn their livelihood, and have insufficient means to support themselves and their dependents. There are currently around 15 000 beneficiaries and the yearly budget stands around MUR 900 Million. The scheme covers persons in the following categories:

1. Physical or mental disability or sickness
2. Abandonment by spouse
3. Imprisonment of husband/partner
4. Sudden loss of employment
5. Beneficiaries of a basic pension living alone and paying rent
6. Grant for purchase of medicine to centenarians
7. Families with multiple births
8. Abandoned children
9. Fire and flood victims
10. Funeral grant in case of death of a family member
11. Grant for the purchase of dentures to beneficiaries of Basic Retirement Pension
12. Spectacles, wheelchairs and hearing aids

13. Payment of examination fees

64. Beneficiaries are also entitled to such benefits as spectacles, 100% subsidy on the examination fees of their children, funeral grant in case of death of a family member, refund of travelling to attend medical treatment. There are currently around 25,000 beneficiaries and the total budgeted amount for social aid and associated schemes stands at around MUR 950 Million.

Protection of persons with disabilities

65. As regard the protection of persons with disabilities:

(a) Government is committed to upholding and applying the provisions of the UN Convention on the Rights of Persons with Disabilities (CRPD). Mauritius has ratified the Convention 2010 and the initial State Party Report submitted in 2012. A Steering Committee under the aegis of the Ministry of Social Security and National Solidarity is looking into the implementation of the provisions of the Convention as well as the recommendations made by the Treaty Body. The said Ministry is also organizing activities to raise awareness on the Convention;

(b) Persons with disabilities benefit from free transport and transport costs are refunded for parents accompanying their disabled ward to schools. Moreover, taxi fares are refunded for students with severe disabilities attending courses at local universities;

(c) A wide array of social benefits such as Basic Invalid Pension, Carer's Allowance and Social Aid are provided to persons with disabilities. The Social Aid Act has been amended to provide for additional special allowances to children with high support needs. Assistive devices are also provided free of charge. Children below 15 years of age, with disabilities, are also benefiting from Invalid's Basic Pension (BIP) as from July 2016; and

(d) The Child Protection Act, the Domestic Violence Act and the Family Protection Act also cover persons with disabilities. The Training and Employment of Disabled Persons Act was amended in 2012 laying emphasis on the need to educate and sensitise employers on the importance of employing disabled persons and contributing to remove barriers or prejudices with regard to the employment of persons with disabilities. Moreover, an employer with 35 or more workers has to ensure that he employs 3% of the workforce with persons with disabilities. In addition, the Training and Employment of Disabled Persons Board has embarked on innovative strategic measures to bring greater awareness among employers, and also to establish a network with other training institutions.

Article 10 — Family protection

66. Social realities and developments are also having a significant impact on the ability of families to fulfill their traditional roles, namely, ageing of the population; changes in the role and function of women; changes in the family structure from a traditional extended family to a nuclear family type; erosion of family values; and consumerism and globalization. These various challenges have prompted the need for a policy paper that would address the problems faced by families and provide strategies to promote their well-being. In May 2006, the Ministry of Gender Equality, Child Development and Family Welfare (MGECDFW) launched a National Policy Paper on the Family.

67. The National Action Plan on the Family to implement the recommended actions of the National Policy Paper on the Family was launched and is currently being implemented. The objectives of the Action Plan are to implement a series of programmes and activities for achieving the enhanced functioning of the family through development of partnerships with stakeholders and to provide all stakeholders with guidelines to address family concerns in policy planning and decision making.

68. The following projects are being implemented under the Action Plan: Pre-Marital Counseling Programme, Marriage Enrichment Programme, Inter-Generation Relationship

Programme, Inter-generation Relationship Programmes, Strengthening Values for Family Life Programme, and Balancing Work and Family Life.

69. Marriage Enrichment Programmes delivered by the Family Welfare and Protection Unit of the MGECDFW are targeted at married couples. The following modules are covered under these programmes:

- Fundamental concepts of marriage;
- Conflict Resolution and Enhancing Communication;
- Sexuality in marriage;
- Family Budget and Common Decision Making;
- Reviewing commitments and understanding each other; and
- Family Values and Improving Interpersonal Relationships, amongst others.

70. Pre-Marital Counselling Programmes by the Family Welfare and Protection Unit of the Ministry are also available for married couples. The modules covered are:

(i) Enhancing Communication and Common Decision Making;

(ii) Role Expectations Understanding each other;

(iii) Basic ingredients for a successful marriage;

(iv) Anger Management and Conflict Resolution;

(v) Planning a Family Budget;

(vi) Love and Sexuality; and

(vii) Legal Aspects of Marriage, amongst others.

71. Amendments were brought to the Code Civil Mauricien in 2011 to provide for divorce by mutual consent. This procedure enables married couples to go through the divorce in a much simpler and quicker procedure/way as compared to the other types of divorce such as the '*divorce pour faute*' or '*divorce pour rupture de la vie commune*' for instance. Only parties who have been married for a period of more than 24 months are allowed to enter a divorce petition by way of mutual consent. They may, if they so qualify, retain the services of only one Attorney instead of one for each party. Another precondition to the divorce by way of mutual consent is that both parties need to agree on the breakdown of the marriage and on the arising effects.

72. Section 30 of the Employment Rights Act contains a number of provisions protecting the rights of workers with family responsibilities as detailed below:

(a) Notwithstanding any other enactment or Remuneration Regulations, a female worker who remains in continuous employment with the same employer for a period of 12 consecutive months immediately preceding the beginning of leave shall, on production of a medical certificate, be entitled to 14 weeks' maternity leave on full pay to be taken either before confinement, provided that at least 7 weeks' maternity leave is taken immediately following confinement or after confinement;

(b) Where a female worker has been in continuous employment with the same employer for a period of 12 consecutive months, gives birth to a still-born child, she shall, on production of a medical certificate, be paid within 7 days of the confinement, an allowance as prescribed;

(c) A female worker who has been in continuous employment with the same employer for a period of 12 consecutive months, immediately preceding the beginning of leave as entitled under section 30 and who gives birth to a still-born child, shall be entitled, on production of a medical certificate, to 14 weeks' leave on full pay;

(d) A female worker is entitled to 2 weeks' leave on full pay in case of miscarriage immediately after the miscarriage, subject to same being duly certified by a medical practitioner;

(c) An employer shall not require a pregnant female worker to perform overtime, two months before her confinement;

(f) A female worker shall not be required to perform duties necessitating continuous standing or that may be detrimental to her health and that of her baby, provided that there is a recommendation to that effect from a medical practitioner;

(g) An employer is prohibited from giving a notice of dismissal to an employee on maternity leave or giving such notice which will expire during her maternity leave except on grounds that relate to the economic, technological, structural or similar nature affecting the employer's activities; and

(h) A female worker, who is nursing her newly born child, shall be entitled to either 2 breaks of half an hour each or 1 break of one hour, at a time convenient to her and having regard to the need of the child, for the purpose of nursing the child. The breaks shall be for a period of 6 months from the date of confinement or such longer period as may be recommended by a medical practitioner, and shall not be deduced from the number of hours of work of the female worker.

73. As announced in the Government Programme 2015-2019 and in line with the ILO Maternity Protection Convention 2000, the 2015 amendments to the Employment Rights Act also extended the duration of maternity leave from 12 to 14 weeks so as to better support working mothers fulfilling their family obligations.

74. Section 31 of the Act provides that a male worker is entitled to 5 continuous working days' paternity leave upon the production of a medical certificate certifying that his spouse has given birth to his child and a written statement from him that his spouse and himself are living under a common roof. This benefit is also extended on a pro-rata basis to part-time male employees. The leave is on full pay for a worker reckoning more than 12 months' continuous employment. The application of this provision has been extended to all sectors of employment, including those covered by Remuneration Regulations. It is to be noted that under this section, 'spouse' is defined as a person with whom the worker has contracted a civil or religious marriage.

Child labour

75. The Employment Rights Act also provides that a child below the age of 16 cannot enter into an employment contract, and that an employer shall not keep on employment a young person where the work is of a such a nature, or the circumstances in which it is carried out, is likely to jeopardise the health, safety, physical, mental, moral or social development of the young person.

Protection of elderly persons

76. The Ministry responsible for social security matters which is also responsible for the subject of national solidarity and senior citizens has undertaken a host of measures with regard to the protection and welfare of the elderly and disabled persons such as

(a) Free Public Transport, Carer's Allowance, Rent Allowance to elderly persons living alone and in receipt of Social Aid, Grant for the purchase of medicine to centenarians, Anti-influenza Vaccination, Free issue of assistive devices such as wheelchairs, hearing aids and spectacles;

(b) The basic pension to the old, widows, orphans and person with disabilities was increased by around 40 percent in December 2016. Basic Retirement Pension (BRP) is payable to the elderly aged 60 years and above on universal basis;

(c) In view of the ageing population and the increasing demand for carers, the Ministry has trained formal carers. A programme for training of informal carers, who are looking after their elderly at home, has started since July 2013 and is still being run regionally;

(d) The Senior Citizens Council Act, has been amended by Act 12 of 2011 so as to provide for the main objective of the Senior Citizens Council to advise the Government on matters relating to the welfare of senior citizens. The Senior Citizens

Council organises a host of activities during the year and also provides a grant to Senior Citizens Associations in Mauritius and Rodrigues at the end of the year for them to organise their own activities;

(e) The Protection of Elderly Persons Act was proclaimed in 2006 for the protection and security of the elderly in Mauritius. A network of 20 Elderly Watch in Mauritius and 4 in Rodrigues, an Elderly Persons Protection Unit, a Monitoring Committee and hotlines (172) and (199) have been set up to ensure the protection of the elderly;

(f) 21 Elderly Day Care Centres and 24 Health Clubs have been set up where educational, adult literacy, IT Literacy, Handicrafts and Embroidery classes, proper cooking methods and health programmes are organized;

(g) The Ministry is reviewing its National Policy on Ageing 2008 which was based on the principles of Madrid International Plan of Action 2002 i.e. on older Persons and Development and Advancing Health and Well-being into old age. A National Policy on Ageing and Plan of Action 2015-2020, is being worked out; and

(h) The Protection of Elderly Persons Act has been amended by Act 16 of 2016 to enhance the level of protection of, and security to, the elderly. The amendments provide, among others, for the Officer-in-Charge of the Elderly Persons Protection Unit to summon a person with a view to seeking information, as may be necessary, in case of abuse. Any person who fails to attend to the summons served by the Officer-in-Charge, shall commit an offence and be liable to the payment of a fine or a term of imprisonment.

Asylum seekers

77. Mauritius, being a small and densely-populated island with limited resources, has not yet adopted a policy or law to grant refugee status to foreigners. Although Mauritius has not yet signed the 1951 Convention relating to the Status of Refugees and its 1967 Protocol Convention, it does however, attempt to treat applications for refugee status or political asylum on a humanitarian, case-to-case basis by facilitating their settlement in a friendly country willing to receive them.

Protection against domestic violence

78. A National Action Plan (NAP) to combat Domestic Violence was launched in November 2007 with strategic objectives to improve legislation on Domestic Violence and strengthening of the justice system and other agencies response; and to provide appropriate, accessible, timely, coordinated multi-agency responses and support to all victims and children who need it.

79. In 1997, a Protection from Domestic Violence Act (PDVA) was enacted to protect spouses from domestic violence. Subsequent amendments were made to the Act in 2004, 2007 and 2011. The Act was amended in 2007 with a view to providing better services to victims of domestic violence and strengthening the enforcement mechanism under the Act as follows:

- The Court may hear an application for a Protection Order in such manner as it thinks fit subject to such rules as may be made by the Chief Justice.
- The Court which has made the Protection, Tenancy or Occupancy Order, may make an ancillary as to alimony.
- Magistrates have been given the power to make an order as regards payment of alimony in respect of the aggrieved spouse and any child of the parties at the same time as an order for Protection is made on such terms and conditions as the Court thinks fit.

80. The Act was further amended in 2011 for rules to be made by the Chief Justice and for applications for Protection Orders to be heard in such manner as the Court thinks fit. However, despite the above amendments the number of cases of domestic violence has been increasing and following the tragic deaths of women victims of domestic violence in early 2014, an Advisory Committee was set up under the aegis of the MGECDFW, in March 2014, to make recommendations on measures to reinforce the framework for the

protection of women against domestic violence. The Committee in its report, published in October 2014, observed that the Act as it stands still has several lacunas and weaknesses such as a narrow definition of domestic violence and that not all acts of domestic violence are criminalized, and the weak support given to victims' needs.

81. Following the recommendations of the Advisory Committee on the reinforcement of the framework for protection from domestic violence, the Protection from Domestic Violence Act was again amended in 2016 with a view to reinforcing the protective services of victims of domestic violence by, inter alia:

(a) Increasing the powers of Enforcement Officers;

(b) Widening the definition of the term 'domestic violence';

(c) Providing that a person who does an act of domestic violence against his spouse, a child of his spouse or another person, living under the same roof shall commit an offence; and

(d) Empowering a police officer not below the rank of Assistant Superintendent to arrest a person, where, following an act of domestic violence, physical injury has ensued.

National Platform to End Gender-Based Violence

82. At the Council of Ministers of the Indian Ocean Commission (IOC), held in April 2009, IOC Member States have reaffirmed their commitment to achieve gender equality and women's economic empowerment, and have validated the political and Gender Regional Policy and Strategy of the Commission of the Indian Ocean. In this respect, a National Platform to End Gender-Based Violence (NPEGBV) has been set up in Mauritius since October 2011. The Terms of Reference of the NPEGBV are to:

(a) Provide logistic support for the elaboration of judicial instruments and mechanisms to address gender based violence;

(b) Ensure coordination and reinforce protective services for victims of gender-based violence by adopting a holistic approach;

(c) Lobby and mobilise resources from regional and international funding institutions to end gender-based violence;

(d) Reinforce the intervention and prevention mechanisms to address gender-based violence;

(e) Sustain national campaigns against gender-based violence;

(f) Encourage media to develop Code of Ethics when addressing gender-based violence; and

(g) Set up an Observatory for Gender-Based Violence.

National Action Plan to End Gender-Based Violence 2012-2015

83. A National Action Plan to End Gender-Based Violence (NAPGBV) has been implemented since 2012 to integrate and mainstream actions against GBV in existing programmes of stakeholders for sustainability and to ensure that a co-ordinated multi-sectoral approach is implemented by all stakeholders and to increase accountability of stakeholders involved in the implementation of the Action Plan.

84. Responses to GBV focus on 5 pillars: legislation and prosecution; capacity building of service providers in the rehabilitation of survivors and perpetrators; prevention-awareness raising; Design and implement social marketing information and campaigns to raise community awareness on GBV; media Education and Advocacy; and coordination, research, monitoring and evaluation.

85. Family Counselling Officers, Psychologists and Legal Resource Persons provide counselling to clients in strict confidentiality and Family Welfare & Protection Officers (FWPOs) provide assistance to victims of domestic violence in the filing of an application

for a Protection Order at District Court. FWPOs also extend assistance to children who are victims of abuse and provide advice to parents on problems relating to ill-treatment of children. FWPOs refer clients (both adults and children) to Psychologists for counselling purposes.

National Coalition against Domestic Violence

86. 1626 new cases of domestic violence have been reported to the Family Support Bureaux of the MGECDFW in 2015 out of which 174 concerned men and 1 452 women. From January to December2016, the number of new cases reported was 2077out of which 225concerned men and 1852 concerned women. As spelt out in the Government Programme 2015-2019, Government has set up a *National Coalition against Domestic Violence Committee* under the aegis of the Prime Minister's Office. The Terms of Reference of the Committee are as follows:

(a) To ensure that an appropriate framework is put in place for the protection of victims of domestic violence so that they get proper accommodation under the care of institutions and have sufficient means to lead normal lives;

(b) To put in place a fast track system with all stakeholders for assistance and support to victims of domestic violence; and

(c) To keep updated statistics on cases of domestic violence and to ensure that appropriate follow up is taken in respect of each case.

87. The Committee published its report in December 2015 and a Working Group has been set up at the level of the Prime Minister's Office to examine the recommendations made in the report which are, inter alia, as follows:

(a) To set up a Command Centre against Domestic Violence at the MGECDFW to:

(i) Act as a one-stop-shop for all issues pertaining to domestic violence;

(ii) Implement the Domestic Violence Information System (DOVIS);

(iii) Provide an integrated support service to victims including mediation; and

(iv) Set up an Observatory for gender-based domestic violence;

(b) Take measures to minimise delay in court proceedings;

(c) Set up of an emergency accommodation system where the victims of domestic violence can be temporarily accommodated in a safe and secure environment;

(d) Collaborate with NGOs to assist the vulnerable domestic violence victims; and

(e) Develop procedures to guarantee the safety and security of victims and keep them away from perpetrators.

Trafficking in persons

88. As stated at paragraph 39 of the Common Core Document, the Combating of Trafficking in Persons Act, which was proclaimed on 30 July 2009, has amongst its main objectives to give effect to the United Nations Protocol to Prevent, Suppress and Punish Trafficking in persons, prevent and combat trafficking in persons, and protect and assist victims of trafficking. It provides for repatriation of victims of trafficking, and return of victims of trafficking to Mauritius, as well as compensation to victims of trafficking.

Protection against child trafficking

89. The Child Protection Act, which is enforced by the MGECDFW, provides for the protection against child trafficking. Section 14 (1) of the Act provides that any person shall commit an offence if he causes, incites or allow any child: (a) to be sexually abused by him or by another person; (b) to have access to a brothel; and (c) to engage in prostitution. Moreover, any person who commits an offence under section 14 shall on conviction, be

liable to the following: (a) where the victim is mentally handicapped, to penal servitude, for a term not exceeding 30 years; (b) in any other case, to a fine not exceeding 100,000 rupees and to penal servitude for a term not exceeding 20 years. The Act was amended in December 2005 to make provision for all cases of child trafficking, abandonment and abduction. The Act also prohibits all forms of child trafficking and any person convicted for the offence of child trafficking is liable to penal servitude for a term not exceeding 30 years.

90. A Residential Care Drop-in-Centre for victims of Commercial Sexual Exploitation of Children (CSEC) has been constructed. Its purpose is to assist children victims of sexual abuse and exploitation and to help them to re-integrate society. A Hotline (113) is available to public for referral of cases of victims of child prostitution. The Centre is managed by the Mauritius Family Planning and Welfare Association. The following specialised services are provided to the CSEC: (a) therapeutic and rehabilitative activities such as group counselling and focus group discussion, (b) monthly medical sessions/ examinations; (c) contraceptive and parental counselling.

91. Measures to combat the commercial exploitation of children by Police in collaboration with the Ministry of Social Security, National Solidarity and Reform Institutions, the MGECDFW and NGOs are:

(a) Networking and work sessions with other stakeholders and service providers (CDU, NGOs working with children);

(b) Proactive identification of potential victims and vulnerable groups;

(c) Increased Police patrols and vigilance near vulnerable areas and place of complaints;

(d) Checks at places of amusements, complaints, night clubs, boarding houses and others; and

(e) Counselling and guidance to parents in cases of child beyond control/behavioural problems/unruly life and those who are exposed to risks.

92. The Police has also set up a Police Family Protection Unit (PFPU) with the special mandate to provide specific services within society. Awareness/sensitisation campaigns have been conducted by the PFPU as follows:

Education/Awareness/Sensitisation Campaigns of Police Family Protection Unit for years 2013-2016

Year	*No. of sessions in primary schools*	*No. of attendees*	*No. of sessions in secondary schools*	*No. of attendees*	*No. of session in social welfare centres etc.*	*No. of attendees*
2013	296	12 104	28	923	82	2 920
2014	281	9 949	13	950	131	5 110
2015	335	11 048	40	2 161	88	3 157
2016	293	9 499	12	1 581	77	2 478
Total	**1 205**	**42 600**	**93**	**5 615**	**378**	**13 665**

Statistics from the Mauritius Police Force.

93. The Mauritius Police Force has, at the request of the MGECDFW, set up a new unit called "*Brigade pour la Protection des Mineurs*" in May 2004. One of the priorities of the Brigade is to act as a watchdog against all forms of exploitation and abuse against children. The Brigade is providing a meaningful and sound customer care service aimed at optimizing the protection of children and helping to alleviate the anxiety of parents whose children have been subjected to such abuses.

94. Since January 2008, crackdown operations have been conducted island wide at regular intervals by Officers of the MGECDFW, National Children's Council and the *Brigade des Mineurs* in collaboration with NGOs to ensure that young persons and students

are attending schools during normal school hours. Such operations are seen to contribute in an efficient way to prevent young persons from engaging in truancy and loitering and getting involved in illicit activities. Campaigns conducted are as follows:

Education/Awareness/Sensitisation Campaigns of Brigade Pour la Protection des Mineurs for the year 2013-2016

Year	*No. of sessions*	*No. of attendees (minors adults)*
2013	390	28 558
2014	337	25 071
2015	436	32 744
2016	440	33 452
Total	**1 603**	**119 825**

Statistics from the Mauritius Police Force.

95. The public awareness/sensitization campaign is conducted by the Police with a view to better sensitizing the community on the dangers of drugs and commercial sexual exploitation of children. The Anti Drug and Smuggling Unit (ADSU) has intensified its awareness campaign in collaboration with the community, schools and other NGOs. The number of sessions held and the number of persons reached is as follows:

Year	*No. of sessions held*	*No. of persons sensitised*
2012	34	2 525
2013	53	4 800
2014	69	26 620
2015	106	24 649

96. With a view to promoting Mauritius as a safe family destination, the Ministry of Tourism and Leisure has embarked on a sensitization campaign on the impact of the commercial sexual exploitation of children. A pamphlet on "Zero Tolerance to Child Exploitation" has been prepared.

97. The MGECDFW also conducts on-going awareness and training programmes for both Government and non-government officers working with children so that they are empowered to recognise the signs and symptoms of Sexually Exploited Children and to handle the cases in professional and child-friendly manner. In this context, some 25 professionals, such as Family Welfare and Protection Officers, Child Welfare Officers, Police Officers, Probation Officers, Medical Social Workers, Officers from the Director of Public Prosecution's Office, Investigators from the Ombudsperson for Children's Office and NGOs working with children are being trained on Commercial Sexual Exploitation of Children matters with a view to providing better services to the victims.

98. An Inter-Ministerial Committee chaired by the Attorney-General, has been set up in 2016 to ensure proper co-ordination on matters pertaining to trafficking in persons (TIP) in Mauritius, in general. As at end 2016, a draft Action Plan to combat TIP has been prepared. Consultations are being held with relevant stakeholders to finalise same.

Protection against child violence

99. The Child Protection Act also provides for the protection of both girls and boys from all forms of harm including violence and for his/her temporary removal or alternative placement if faring in dysfunctional families and families with violence. Further amendments have been brought to the Act in 1998, 2005, 2008 and 2011, respectively, with a view to making it more responsive to children victims of violence.

100. A draft Children's Bill is currently being finalised. The Bill seeks to (a) provide better care and protection to children; (b) promote the development and welfare of children;

(c) enable assistance and protection to be available to families; (d) give guidance on best interest principles; and (e) set up structures, services and means for promoting and monitoring the sound physical, psychological, intellectual, emotional and social development of children.

101. The institutional responses of the MGECDFW in favour of the protection of the child are as follows:

- **Child Protection Services:** these services are provided through the Child Development Unit (CDU) which operates through a network of 6 outstations. The CDU provides immediate assistance to children victims of abuse, especially victims of sexual abuse, through — (a) the emergency protective services; (b) a 24/7 basis hotline service and (c) close monitoring and follow-up;
- **Alternative Care System/Residential Care Institutions:** the MGECDFW accommodates children victims of violence in its 6 shelters (4 run by NGOs and 2 by the National Children's Council) and 14 Residential Care Institutions which are managed by NGOs. The Inspectorate section of the CDU carries regular inspections in these shelters;
- **Hague Convention on the Civil Aspects of Child Abduction:** Mauritius adhered to the abovementioned Hague Convention in October 1993 and the CDU enforces the provisions of the Instrument whose main objectives are to secure the prompt return of children wrongfully retained in another State and see to it that the rights of custody and of access under the law of one Contracting State are effectively respected in another State;
- **Foster Care Programme:** the MGECDFW also gives the opportunity to children victims of abuse and/or neglect to live in a substitute family on a temporary basis. In accordance with section 8 of the Child Protection Act and section 23(a) of the Child Protection (Foster Care) Regulations 2002, the main objective of the Foster Care System is to give the opportunity to children removed under a Court Order and placed in institutions, to evolve in a substitute family environment;
- **Child Protection Register:** in accordance with the e-Government vision, the Child Protection Register (CPR) was launched in 2014 and went live in August of the same year. The CPR is a key innovative computerised system aimed at enabling the CDU to record and address cases of children in distress reported to the Ministry;
- **High Powered "Working Together" Committee:** this is a common platform developed by the MGECDFW to facilitate and sustain prompt and multidisciplinary actions in reported cases of violence and abuse against children;
- **Tardy Declaration of Birth:** to ensure that children whose births have not been registered within the prescribed delay, are tardily declared, a fast track system has been put in place, in collaboration with the relevant stakeholders, and is operational since 2005;
- **Child Mentoring Programme (CMP):** the Child Protection (Amendment) Act 2008 makes provision for the Child Mentoring Scheme and since 2009 the CMP is being implemented. In this programme, children between 10 to 16 years of age who display mild behavioural problems are assisted by trained adult mentors for their emotional and social reconstruction;
- **Early Childhood Development Programme-Monitoring of Child Day Care Centres:** The MGECDFW monitors and registers Child Day Care Centres (CDCCs) for children in the age bracket of 3 months to 3 years old in order to ensure that these children are provided with appropriate support and care. Out of the 390 CDCCs in Mauritius, only 89 were registered as at end 2016. Regular site visits are effected to those CDCCs which are not registered so as to persuade them to do needful to become fully compliant with the Institutions for the Welfare and Protection of Children Regulations 2000 to the Child Protection Act. The MGECDFW will review these regulations to include additional provisions, especially with regard to sanctions against the non-compliant CDCCs;

- **Information, Education and Communication (IEC) Strategy:** an IEC strategy has been initiated by the MGECDFW in an attempt to intensify campaigns to combat child violence including abuse and neglect;

102. There are also other proximity services which have been put in place to protect children. These are the:

(a) Community Child Protection Programme: this programme has been launched in 2007 and is currently being implemented across the island. The programme allows for proximity services and acts as a forum at district level as well as grass root level to ensure national awareness with respect to child protection issue, through two main components, namely, the District Child Protection Committee which take cognizance, review and monitor child protection issues at their level; and the Community Child Watch Committee which has been set up in the localities of high risk areas to ensure early detection and reporting of child at risk cases;

(b) School Child Protection Club: which was launched in 2010 by the Ministry of Education and Human Resources, Tertiary Education and Scientific Research in September 2010, to provide a structured platform to develop the skills and competencies to curtail and combat violence against children within school premises. This establishment of this structure is in line with the recommendations of the UN Committee on the Rights of the Child.

103. The reached out figures for the proximity services were as follows:

(c) At the Mahebourg Child Creativity Centre:

Year	*No of children reached*
2012	9 749
2013	7 985
2014	9 156
2015	9 218
2016	7 887

(d) Children attendance in Children's Clubs was as follows:

Year	*No of children reached*
2012	3 260
2013	3 800
2014	19 791
2015	17 241
2016	19 952

104. The is also the *Ecole des Parents* project which was subsequently reviewed and restyled as *Atelier Partage Parents* (APP) in June 2016. The aims and objectives of the APP, among others, are to:

(a) Enhance the relationship between parents and children in general;

(b) Reduce intergenerational gaps that leads to conflict between parents and children;

(c) Improve the parenting skills of parents particularly those faring in deprived areas, and are in disadvantaged circumstances;

(d) Empower parents with the capacity to manage and develop coping mechanism with regard to their family problems; and

(e) Create and promote awareness and understanding on the rights and corresponding responsibilities of the child among parents.

105. The Police, in collaboration with the social workers of the Ministry of Education and Human Resources, Tertiary Education and Scientific Research, and the Child Development Unit of the MGECDFW also redirect children who drop out of school back to the education system. Police Officers refer children who have been abused to the Child Development Unit for psychotherapy and placement to shelters. In addition, the Police provide the following relevant services:

(a) A 24-hour hotline service (Tel: 999);

(b) At divisional level, an Operations Room is open on a 24-hour basis;

(c) Likewise, at Line Barracks the Operations and Information Room is open on a 24-hour basis; and

(d) A protocol of assistance to child victims ranging from protection to counselling exists, whereby all Police Officers serving in any part of the country, deal with reported cases of child abuse.

Article 11 — The right to an adequate standard of living

A. The right to the continuous improvement of living conditions

106. On the basis of the UN definition of US $1.25 (PPP) per person a day, extreme poverty in Mauritius is negligible at less than 1%. Based on data collected during the past four Household Budget Surveys (HBS), less than 1% of the population lived below the extreme poverty line of $1.25 a day in 1996/97, 2001/02, 2006/07 and 2012. Mauritius being a welfare state, the poverty gap indicator is also less than 1% due to the provision of universal free health, free education up to tertiary level, free transport for school children and the elderly, social housing and other social benefits for the elderly, widows, persons with disabilities, single mothers, abandoned women and orphans.

107. However, in the National Budget Speech of 2016/2017, the national poverty lines, which stood at Rs 6, 200 and Rs 5, 000 (excluding transfers) for Mauritius and Rodrigues, respectively, had been reviewed with the introduction of a new scheme under which every adult on the Social Register of Mauritius is entitled to a monthly subsistence allowance based on a minimum threshold of Re 2,720 per adult with a maximum threshold of Rs 9,520, for a family of two adults and three children. The quantum of subsistence allowance to be paid is the difference between the assessed income and poverty threshold of the household. In this connection the Social Integration and Empowerment Act was enacted in 2016.

108. Following the change in law, a new database of 8,340 eligible poor households had been constituted under the Social Register of Mauritius (SRM) as at 31 December 2016. The first payment of the monthly subsistence allowance to 7, 993 eligible households, who have signed their social contracts, was effected on 15 December 2016 for a total amount of Rs 14.9 Million. The registration of households living in absolute poverty under the SRM is on-going.

B. The right to adequate food

109. During the past years, a Strategy for Food Security has been adopted and is being implemented. The measures taken include mobilizing land and aquatic resources, inputs for production, human resources, technology and financial resources in order to optimize food and livestock production locally for domestic consumption partnering with countries of the region, where opportunities arise to produce food crops, livestock and marine products for domestic consumption as well as for regional markets; and undertaking a sensitization campaign to promote healthy eating.

C. The right to water

110. Almost the whole of the population has access to piped potable water. According to the 2011Housing and Population Census survey (Statistics Mauritius), 99.6% of the population had access to piped potable water. In addition, Government provides grants to

low income families for the purchase of water tanks. Since 2016, households which consume up to 6m3 of water are exempted from payment of water charges.

111. The Water Resources Unit is implementing the Master Plan for Water Resources for the mobilization of additional water resources to meet the present and future needs of the population. A new dam has been completed and will mobilize 12Million cubic meters of water to improve water supply in the central region and in Port-Louis. Another reservoir will be constructed in the southern part of the island to mobilize 14Million cubic meters. The present potable water production which is 78, 000 m3/day will be increased to a maximum of 128, 000 m3/day after construction of the dam. The capacity of 2 other reservoirs will be increased in the next five years to ensure additional water storage for future needs.

112. The Central Water Authority is undertaking the replacement and rehabilitation of old and obsolete water pipes to reduce water losses and ensure regularity of supply to the population. At the same time, public campaigns have been organized to encourage efficient use of water. An Integrated Water Management Project has been implemented in the northern part of the island to establish a systematic monitoring of our aquifers and conservation of our water resources.

D. The right to adequate housing

113. Please refer to paragraphs 81 to 92 of the **Common Core Document** regarding the Social Housing Policy of Government.

Article 12 — Rights to the highest standard of physical and mental health

Universal access to health facilities

114. Mauritius being a welfare State, medical care is free for everyone and the right to health care is guaranteed for everybody. As at end 2015, there were 5 regional hospitals and two district hospitals. There is also a psychiatric hospital and 3 other specialized hospitals for chest diseases, eye diseases, ENT diseases and a Cardiac Centre. The total number of beds in government health institutions was 3, 648 at the end of 2015. In the private sector, there were at the end of 2015, 17 private health institutions with a total of 647 beds.

115. Mauritius provides universal access to Primary Health Care (PHC) services to all its citizens. As the frontline entry point to the national health system, PHC Institutions act as "gatekeepers" for patients' access to hospitals. The PHC system comprises a network of 18 Area Health Centres (AHCs), 116 Community Health Centres (CHCs), 5Medi-Clinics (MC), 2 Community Hospitals (CH) and other satellite PHC institutions to provide health promotion, health education, family planning, immunisation, diagnostic, treatment and referral services.

116. The right to health to everyone is provided for in different legislations, inter alia:

(a) The welfare of mental patients is governed by the Mental Health Act, which serves as guidelines for the management, security and welfare of patients;

(b) There is also a Trust Fund provided for under the Specialised Medical Care Act which caters for the operation of a Specialised Medical Care Centre and the management of other institutions for the provision of high-tech medical care;

(c) The HIV and AIDS Act 2006 protects the rights and privileges of people living with HIV and those affected by the disease. One of the objects of the Act is to respond to the HIV and AIDS epidemic through enhanced HIV prevention programmes and national mechanisms for HIV testing and counseling (HTC). The Immigration and Civil Status Act has been amended to allow a non-citizen who is HIV infected to marry a Mauritian citizen, provided he has disclosed his HIV status to his partner;

(d) Under the Dangerous Chemicals Control Act, the Dangerous Chemicals Control Board has the task of, inter alia, disseminating to other law enforcement

agencies and public departments information relating to dangerous chemicals; ensuring coordination and cooperation amongst the law enforcement agencies, government departments and other institutions for the effective control of dangerous chemicals; and carry out such other duties as may be necessary for the control of dangerous chemicals; and

(e) The Food Act regulates, inter alia, the determination of fitness of food, its preparation, packaging, storing, conveyance, distribution as well as sale.

Improving child and maternal health

117. Maternal Child Health (MCH) services, including ante-natal care and postnatal care have been strengthened. Exclusive breastfeeding for the first six months and continued breastfeeding for two years and beyond is being promoted. There is almost 100% immunization coverage through the Expanded Programme of Immunization (EPI), including vaccination carried out by the private sector.

118. Mauritius has made significant progress in enhancing child health. Since 1990, infant mortality rate per thousand live births and under-five mortality rate declined by almost by 33%. Immunization coverage rate has reached nearly 100%. The Table below indicates the declining rate of child mortality in Mauritius for the period 2009 to 2015:

Child Mortality Rate (per 1000 Live Births) 1990 & (2005-2015)

Period	*Infant mortality rate*	*Still-birth rate*	*Under-5 mortality rate*
1990	20.4	15.9	23.1
2009	13.4	8.9	16.1
2010	12.5	6.8	14.7
2011	12.9	9.4	15.9
2012	13.7	9.6	15.7
2013	12.1	8.5	14.5
2014	14.5	10.2	16.0
2015	13.6	9.7	15.5

Source: Ministry of Health and Quality of Life.

119. These achievements are attributed to the successful implementation of an integrated package of primary health care services, which, inter alia, include, the expanded programme of immunization as well as the enhancement of maternal and child care services at both the primary care and hospital levels, preventive medicine and health promotion activities such as:

- Audit of infant and under-five mortality in Mauritius and Rodrigues.
- Strengthening of the Maternal and Child Health Care services, including the implementation of the National Sexual and Reproductive Health Plan of Action.
- Enhancing the Expanded Programme on Immunization against vaccine preventable diseases with the introduction of new vaccines in line with WHO recommendations.
- Recruitment of additional paediatricians, gynaecologists and anaesthetists.
- Review of clinical guidelines for the provision of comprehensive emergency obstetric and neonatal care.
- Setting up of a third neonatal ICU at Nehru Hospital (in addition to that of SSRN and Victoria Hospitals).
- Echography service and examination of pregnant women by obstetricians and gynaecologists at all Area Health Centres for the early detection of complications.

Sexual and reproductive health

120. Sexual and reproductive health services are available in all hospitals and health care centres and are fully accessible by any citizen, free of cost. Section 235 of the Criminal Code has been amended in order to allow for abortion in cases of therapeutic abortion as well as in cases where ensuing pregnancies is the result of rape or incest.

Prevention, treatment and control of diseases

121. The prevalence of major communicable diseases of public health importance has decreased considerably during the past few decades, mainly due to improvements in safe water supply and environmental sanitation and also due to the Expanded Programme on Immunization (EPI) in accordance with the recommendations of the World Health Organisation. The vaccine is free of user cost in public health institutions and its coverage rate is high.

122. Mauritius has been able to eliminate vector borne diseases such as Malaria and *Lymphatic Filariasis* and no case of *Schistosomiasis* has been reported since 1998. Moreover, outbreaks of *Chikungunya* in 2005 and 2006 were successfully controlled. Only imported cases are still being detected. From 2009 to 2015, there have been three outbreaks of locally transmitted dengue fever.

123. Vector control is another important pillar of prevention and control of diseases transmitted by mosquitoes. This is an on-going activity throughout the year. Awareness campaigns related to specific diseases are being carried out as a routine, though media channels and also at community level. Water quality is also being monitored regularly to detect contamination. Food safety ranks high on the agenda of the Ministry and as such the need for closer food monitoring is being emphasized.

124. With a view to preventing resurgence or emergence of epidemic prone diseases, the Ministry of Health and Quality of Life has initiated actions to carry out a reorganisation of the Communicable Disease Control Unit, aiming at strengthening the communicable disease surveillance system in the country, with focus on the setting up of an early warning and rapid response system. This project is also in line with the recommendations of the World Health Organization to Member States to reinforce capacity for the implementation of the International Health Regulations. In addition, with a view to preventing the introduction of communicable diseases of major public health importance, surveillance at the ports of entry and at residence is being carried out for passengers arriving from high risk areas.

125. Strengthening of laboratory capacity has also been a regular feature. In this respect, among other achievements, the setting up of a molecular biology cell within the virology department of the Central Health Laboratory has been an important milestone in the development of new diagnostic tools. The World Health Organization has recognized the molecular biology and virology laboratory as a National Influenza Centre and it now forms part of the WHO Global Influenza Surveillance and Response System. Tests have also been introduced for the detection of newly emerging diseases such as Influenza A H7N9 and MERS-Coronavirus.

Non-Communicable Diseases (NCDs)

126. Death rates due to NCDs followed a slightly decreasing trend in the period 2008-2010. However, since 2012, an increasing trend has been observed. It is also noted that death rates due to NCDs are higher among men, as shown below:

Island of Mauritius
Death rate per 100,000 population due to NCD's in Mauritius

Year	*2007*	*2008*	*2009*	*2010*	*2011*	*2012*	*2013*	*2014*	*2015*
Rate	467	488	486	474	477	497	500	521	527

Source: Ministry of Health and Quality of Life

127. However, the Mauritius NCD Survey 2015 has also revealed several positive findings, namely, inter alia, the prevalence of:

(i) Diabetes has stabilised to around 23% for the first time since 1987;

(ii) Hypertension has significantly come down from 38 % to 28%;

(iii) Physical activity has come up from 16.5% to 23.7%; and

(iv) Smoking has decreased from 21.7% in 2009 to 19.3% in 2015.

128. The control of non-communicable diseases will be further enhanced in line with WHO Global Strategy for Prevention and Control of non-communicable diseases. Action Plans on Nutrition, Tobacco, and Physical Activity and Cancer are being implemented. Draft Action Plans on Harmful use of Alcohol, and on Tobacco have been finalised. A National Plan of Action on Nutrition, which includes amongst others, dietary guidelines for healthy nutrition, fruit and vegetable promotion initiatives and regulation of the sale of foodstuffs on school premises, has been implemented.

Cancer

129. Cancer patients are on the increase in Mauritius. The *Pitié Salpetrière* Hospital in Paris, France will update the current Cancer Action Plan and assist the Ministry in the setting up of the National Cancer Agency. A Memorandum of Understanding has been signed between Ministry of Health and Quality of Life and *Pitié Salpétrière* Hospital to that effect. A dedicated cancer centre has been set up as announced in the Government Programme 2015-2019.

Occupational health

130. The Radiation Protection Authority established under the Radiation Protection Act, inter alia, regulates, controls and supervises radiological work and every activity relating to the acquisition, importation, use, transportation and disposal of radioactive material, radioactive substances, radioactive wastes, x-ray equipment and other sources capable of emitting ionizing radiation. Furthermore, under section 20 of the Act, when a person who is engaged in radiological work or any person who, because of his work may have otherwise been exposed to ionising radiation, shows signs of disease or injury which may be suspected of having been caused by ionizing radiation, the person employing him shall immediately make arrangements for the medical examination of the person concerned.

131. Various cases regarding eye, neurological, cardiac, leukaemia, orthopaedic and cancer which are inoperable in Mauritius are referred abroad for treatment. Cases referred from 2011 to 2015 are as follows:

Cases referred abroad by Government hospital services

Treatment	*2011*	*2012*	*2013*	*2014*	*2015*
Eye	51	54	45	55	49
Neurosurgical	45	37	49	65	60
Cardiac	31	50	39	44	39
Other*	82	88	92	83	94
Total number of patients	**209**	**229**	**224**	**247**	**242**

Source: Ministry of Health and Quality of Life

* Leukaemia, Orthopaedics, ENT, Cancer, etc.

Prevention of use of illicit drugs

132. Drug abuse has become a matter of concern in Mauritius. Several initiatives have already been taken by the Customs Department to prevent the illicit entry of drugs in the country, among others, the creation of an Anti Narcotic Unit, the recruitment of 83 officers which include customs officers and psychologists who could be able to identify drug

dealers through their body language, and the purchase of a Fast Interceptor Boat in January 2016. The Department is planning to purchase two others such equipment as well as two scanners and several drones in the near future.

133. However, the problem of drugs is still negatively impacting on the society, especially the youth. Synthetic drugs have already entered secondary schools and these drugs. It is in this context that in July 2015, a Commission of Inquiry, chaired by a former Judge of the Supreme Court, was set up by Government to inquire and report on all aspects of Drug Trafficking in Mauritius. The terms of reference of the Commission are to inquire into and report on all aspects of drug trafficking in Mauritius, including, inter alia:

(i) The scale and extent of the illicit drug trade and consumption in Mauritius and their economic and social consequences;

(ii) Sources/points of origin/routes of illicit drugs;

(iii) The channels of entry and distribution of drugs in Mauritius;

(iv) The channels of entry and distribution of drugs in prisons;

(v) The availability of new types of drugs, including synthetic and designer drugs, in Mauritius;

(vi) Linkages between drug trafficking, money laundering, terrorist financing and other crimes;

(vii) The adequacy of existing legislation;

(viii) The operational effectiveness of the various agencies involved in the fight against drug trafficking;

(ix) The effectiveness of drug treatment and rehabilitation programmes as well as harm reduction strategies, national prevention, education and drug repression strategies, with emphasis on youth; and

(x) The tracking of funds in order to identify illicit activities.

134. As at end of October 2016, the Commission has held 154 hearings during which persons from different sectors have deponed, namely, from the Executive, the Police and the Prisons Departments, the Customs, Non-Governmental Organisations, the education sector and from religious bodies.

135. In November 2015, a National Drug Observatory (NDO) was set up to monitor illicit drug use, drug abuse and drug trafficking in Mauritius. It has also the objective to provide evidence-based information for an appropriate response to drug problems in the country. The first report of the NDO released in August 2016 has mainly revealed that:

(i) The drug situation has been constantly evolving, particularly with regard to New Psychoactive Substances, which are purposely manufactured with chemicals to bypass existing legislations;

(ii) Based on the figures submitted by different Treatment and Rehabilitation centres, it has been observed that the vast majority of people attending the centres and who were reported to be using New Psychoactive Substances are polydrug users, using heroin or other drugs as well; and

(iii) According to figures submitted by the Ministry of Education and Human Resources, Tertiary Education and Scientific Research, in 2015, 18 secondary schools students were reported to have been involved in suspected drug use in schools, out of whom, 15 were reported in State Secondary Schools against 3 private secondary school students.

136. The report also indicates that:

(i) Government has reacted promptly to the synthetic drugs problem by enacting Regulations in 2015 to deal with the New Psychoactive Substances, including synthetic cannabinoids and their derivatives, which were not being captured by precedent amendments made in 2013;

(d) The Ministry of Health and Quality of Life has been conducting extensive campaigns on substance abuse in educational institutions. From April to December 2016 same has been conducted in 226 Schools reaching 23,017 students. Regarding the Community, 196 sessions have been conducted in Community Centres reaching 10,038 members of the public. 105 sessions have been conducted in Workplace reaching 3604 participants and 17,197 members of the public have been reached through sensitisation awareness sessions conducted in the compound of commercial sites; and

(e) There are plans to extend the prevention programmes to different sections of the population. The objective is to create awareness among the population at large and the youth in particular in view of empowering them with the right knowledge about the ill effects of drugs.

Prevention of HIV/AIDS

197. The first case of AIDS in the Republic of Mauritius was notified in October 1987. At the end of 2015, a total of 6, 593 cases of HIV/AIDS were detected, of whom 6, 352 (4, 871 males, 1,481 females) were Mauritians. 71.0% of the infected Mauritians were in the age-group 25 to 49 years and 17.7% in the age-group 15 to 24 years.

198. In the Country Progress Report covering period January to December 2014 on HIV/AIDS, it is reported that injecting behaviour has largely been responsible for the spread of the HIV epidemic in Mauritius. However, the introduction of Harm Reduction strategies in 2006 (HIV and AIDS Act, Needle Exchange Programme and the Methadone Substitution Therapy) by Government and other have brought positive results. Consequently, according to the National Health Statistics Report 2015, the number of newly detected HIV/AIDS cases among Mauritians was 262 in 2015 as compared to 322 in 2014 and 568 in 2010. For the year 2016,319 (190 males, 129 females) new HIV/AIDS cases have been detected.

199. The Republic of Mauritius has developed the "Three-Ones Principles" to combat the HIV epidemic. The National AIDS Secretariat under the aegis of the Ministry of Health and Quality of Life coordinates the National Response with the involvement of relevant ministries, the private sector and civil society through various institutional arrangements such as the Technical Working Groups, decentralised structures such as the Day Care Centres for the Immune-Suppressed, Regional AIDS Unit, and civil society organisations.

200. Moreover, in line with the National Strategy 2013-2016 for the response to HIV/AIDS, several programmes have been developed:

- **Behavioural Change Communication**: This is done through interventions with different target groups (General population, young people, PWID, MSM, TG, PI) taking into consideration their respective needs.
- **Stigma and Discrimination**: The Stigma Index Survey conducted in 2013 has provided evidence- based data for advocacy and the development of appropriate strategies to eliminate stigma and discrimination. Following the survey a multi-sectoral national response has been developed in which the Greater Involvement of People Living with HIV and AIDS (GIPA) concept is fully applied. As regard non-discrimination, the Equal Opportunities Act which has been adopted in December 2008 and reviewed in 2012, prohibits any form of discrimination on the grounds of age, ethnic origin, colour, race, physical state, caste, marital status, political opinions or sexual orientation.
- **Condom promotion and distribution:** Regular condom (Male & Female) promotion and free distribution are done across the island. As from 2010, an average of 1.3 to 1.5 million condoms is being distributed.
- **HIV counselling and testing (HTC):** HTC is the key entry point to HIV treatment, care and services. Therefore, the National HIV programmes encourage people to access the HTC services for early detection and access to treatment for HIV.
- **Harm Reduction Programme**: Mauritius has scaled up the provision of Needle Exchange Programme (NEP) and the Methadone Substitution Therapy (MST) to a

significant proportion to People Who Inject Drugs (PWID), both of which were launched in 2006. The harm reduction programme in Mauritius is now partially funded by the Global Fund to Fight AIDS, Tuberculosis and Malaria (GFATM).

- **Laboratory Quality assurance in support of HIV and AIDS Programme:** People Living with HIV (PLHIV) benefit from specialised and routine laboratory tests conducted at the Central Health Laboratory as well as transfusion support and safety, all free of charge.
- **Antiretroviral (ARV) Treatment:** ARV treatment has been introduced free of charge since 2001. In response to the increasing demand, the Ministry of Health and Quality of Life has decentralised and scaled up HIV treatment care, including within the prisons setting and Rodrigues Island. This constant effort to increase access to ART has resulted in a rise from 18.7% in 2006 to 48.2 % in 2014 and 50.8% in 2015 in the treatment provided.
- **Prevention of Mother to Child Transmission (PMTCT):** Since 2012, Government has been implementing the option B+ prophylaxis for HIV positive pregnant women and since Mauritius has succeeded to bring access to 97% of people in need. Government is now aiming at the Elimination of Mother to Child Transmission (EMTCT).
- **Prompt diagnosis and treatment of other Sexually Transmitted Infections (STIs):** Prompt diagnosis and treatment of STIs across the population is priority of the National Programme. Testing for HIV is recommended and offered to all persons who seek evaluation and treatment from STIs.
- **Management of Co-infection (Tuberculosis, Hepatitis B and C):** There is a close collaboration between the two programmes and HIV testing and counselling is a routine procedure in healthcare settings dealing with patients who have active TB or any chronic chest infections.
- **Post Exposure Prophylaxis (PEP):** HIV transmission during medical procedures at hospitals has not occurred to date. All donated blood is screened. All the ART centres in Mauritius provide PEP services mainly for occupational problems among health workers and survivors of rape. All police stations are aware of the PEP programme and bring rape victims to take prophylaxis treatment prior to investigation.
- **Support to PLHIV:** Government has a high level of commitment towards providing economic and psychological supports to PLHIV.

Mental Health Care

141. The Brown Sequard Mental Health Care Centre was established under the Mental Health Care Act to provide mental health care to all those who seek help without discrimination. There exists a system of self-referral whereby the patient only presents himself at the hospital for consultations. Illnesses treated cover all types of mental disorders as defined by the International Classification of diseases (ICD 10).

142. To better protect the rights of mental patients, specialised services in the field of Mental Health Care have been decentralized and there is now also a Psychiatric Unit at the Regional Hospital at Flacq to cater for the eastern part of the island. In the other Regional Hospitals, Liaison Psychiatry is being practiced. Mental Health Care is also being provided at Primary Health Care Centres by Psychiatrists and Community Physicians.

Articles 13 and 14 — Right to education

143. Mauritius recognises the right of everyone to education and has been providing free, universal, primary education since it gained independence in 1968. Education has been free for the secondary level since 1977 and for full time undergraduate level at the University of Mauritius since 1988. Since July 2005, free transport facilities to and from educational institutions are also provided by Government to facilitate access to education to all.

144. The right to education is also enshrined in the Constitution. Section 37 of the Education Act provides for education to be mandatory for all children up to age of 16. Section 14 of the Constitution guarantees the right of a religious denomination or any other group to establish schools. Government is also committed to have an inclusive approach to special education needs within the general school environment.

145. The school curricula at the primary, secondary and tertiary levels have been developed to impart education in a holistic manner to the students who are taught academic subjects and are also exposed to non academic activities to allow the development of their talents and personality. Given that Mauritius is a multicultural society, much emphasis is placed on the promotion of tolerance and understanding of others during dedicated periods in schools. The curricula are reviewed as and when required to incorporate emerging trends such as information technology and entrepreneurship studies.

146. Furthermore, with a view to promoting human rights through teaching and education, the Government of Mauritius in collaboration with the Commonwealth Secretariat has integrated human rights education at secondary level. At tertiary level, Human Rights Education already forms part of the curriculum of LLB courses at the University of Mauritius. An LLM course in International Human Rights Law has also been introduced as from academic year 2013-2014.

Pre-primary schools

147. The number of schools providing pre-primary education stood at 911in March 2016 with 878 in the Island of Mauritius and 33 in Rodrigues. Of these schools, 717 (79%) were privately run institutions and the remaining 194 (21%), operating on Government primary school premises, were administered by the Early Childhood Care and Education Authority (Ex Pre-School Trust Fund) as shown below:

As at March 2016	*Total*	*Run by ECCEA**	*Run by Municipal, Roman Catholic Institutions and others*
Republic of Mauritius	911	194	717
Island of Mauritius	878	191	687
Island of Rodrigues	33	3	30

* ECCA: Early Childhood Care and Education Authority. The ECCEA formerly known as Pre School Trust Fund (set up in 1984) came into operation in June 2008. The Early Childhood Care and Education Authority Act 2007 was proclaimed on 16 June 2008.

148. To ensure that no single child is denied the opportunity for early self-development, the Ministry of Education and Human Resources, Tertiary Education and Scientific Research in collaboration with the Early Childhood Care and Education Authority is currently working on the amendments that need to be brought to the Early Childhood Care and Education Authority Act in order to make pre-primary education compulsory in Mauritius.

Primary schools

149. Section 37 of the Education Act, provides for compulsory education up to the age of 16. In 2016, there were 318 schools providing primary education with 303 in the Island of Mauritius and 15 in Rodrigues. 221of them were government run and 53 were private-aided schools. The primary school population in the Republic of Mauritius stood at 97,300 in 2016. The net enrolment ratio in primary school, in Mauritius, for both sexes stood at 98 per cent in 2016 with males standing at 97 per cent and females at 99 per cent. For Rodrigues, the net enrolment ratio stood at 101%. The Tables below depict the above:

Primary Education — Number of schools

			Private	
As at March 2016	*Total*	*Government*	*Aided*	*Non-aided*
Republic of Mauritius	318	221	53	44
Island of Mauritius	303	211	48	44
Island of Rodrigues	15	10	5	-

Source: Ministry of Education and Human Resources, Tertiary Education & Scientific Research.

Primary Education — Enrolment in primary schools

As at March 2016	*All schools*		
	Total	*Male*	*Female*
Republic of Mauritius	97 300	49 153	48 147
Island of Mauritius	92 529	46 722	45 807
Island of Rodrigues	4 771	2 431	2 340

Source: Ministry of Education and Human Resources, Tertiary Education & Scientific Research.

Primary Education — Net Enrolment Ratio (6-11 years)

As at December 2016	*All schools*		
	Total	*Male*	*Female*
Republic of Mauritius	98	97	99
Island of Mauritius	98	97	99
Island of Rodrigues	101	101	101

Source: Ministry of Education and Human Resources, Tertiary Education & Scientific Research.

150. Boys represented 51% of the 2016 primary school population, compared to 49% for girls. Around 88.4% of the primary school population was enrolled in Government and Government-aided Schools and the remaining was in non-aided schools. However, the performance of girls exceeded that of boys with consistently higher pass rates at the Certificate of Primary Education (CPE) examinations from 2005 to 2015 in both Mauritius and Rodrigues.

151. It is to be noted that with the introduction of re-sit examinations at the Certificate of Primary Education (CPE) level in 2013, the overall pass rate among school candidates for both girls and boys has considerably improved, with the latest figures compiled by the Mauritius Examinations Syndicate giving an overall percentage pass of 81.17% in 2016, 81.15% in 2015, 80.27% in 2014, 80.95% in 2013 as shown in Table below. It is to be noted that the overall pass rate increased from 76.44% in 2012 to 80.95% in 2013, the year in which the resit system was introduced.

CPE Results: 2012-2016

	First Sitting
Year	*% Pass*
2012	76.44
2013 (including resit)	80.95
2014 (including resit)	80.27

	First Sitting
Year	*% Pass*
2015 (including resit)	81.15
2016 (including resit)	81.17

Source: Mauritius Examinations Syndicate.

The "Zone d'Education Prioritaire" Project — ZEP Project

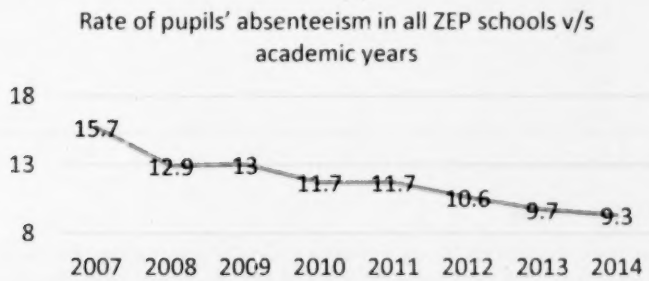
152. The ZEP project started in 2003 with a view to breaking the cycle of poverty through education. Its main objectives are to combat social inequalities and ensure the provision of equal opportunities for learning to all children of the Republic and thus improve achievement of both the pupils and the schools. The two main indicators of the project are the pupil's attendance rate and the CPE pass rate. Thirty three primary schools were identified as low performing having a percentage pass rate at CPE consistently below 40 percent for a number of consecutive years. The school population in the ZEP region is on average slightly above 8000. These schools have poverty as a common denominator.

153. A network of other Ministries and Agencies called the "School Plus Programme" provides support to the communities and the parents through Parents' Club in ZEP schools. There is also a Supplementary School Feeding Programme whereby Bread/butter/Cheese, a fruit and water is offered daily to all pupils of ZEP schools.

Achievements associated with the ZEP project

154. The achievements are as follows:

(a) Decrease in the pupil's rate of absenteeism from 15.7 % in 2007 to 9.3 % in 2014.24 schools out of 30 scored pupil's attendance rate better than 90 % in 2014.



Source: Ministry of Education and Human Resources, Tertiary Education & Scientific Research

(b) Constant increase in CPE pass rate from 2006 to 2016 as shown in the Table below. In 2015, 20 schools out of the 33 ZEP schools scored CPE pass rate better than 45 %, and in 2016 it was 19 schools. Please see also Table below:

Performance of ZEP Schools for the Certificate of Primary Education (2006-2016)

Year	*Gender*	*No Examined*	*% Pass*
2006	Boys	1 358	29.7
	Girls	1 163	44.5
	Total	2 521	36.5
2007	Boys	1 208	28.1
	Girls	1 063	45.0
	Total	2 271	36.0
2008	Boys	1 178	29.8

Year	*Gender*	*No Examined*	*% Pass*
	Girls	1 019	42.9
	Total	2 197	35.9
2009	Boys	1 111	27.5
	Girls	1 012	43.7
	Total	2 123	35.2
2010	Boys	1 021	30.3
	Girls	937	42.7
	Total	1 958	36.2
2011	Boys	983	28.7
	Girls	973	42.7
	Total	1 956	35.6
2012	Boys	978	33.9
	Girls	889	47.8
	Total	1 867	40.6
2013	Boys	775	39.1
	Girls	742	54.0
	Total	1 517	46.4
2014	Boys	671	36.2
	Girls	651	57.8
	Total	1 332	46.8
2015	Boys	694	39.6
	Girls	676	51.8
	Total	1 370	45.6
2016	Boys	620	37.6
	Girls	624	51.1
	Total	1 244	44.4

Source: Mauritius Examinations Syndicate.

Special Education Needs (SEN)

155. In compliance with the Convention on the Rights of the Child World Declaration on Education for All (Jomtien, Thailand 1990), the vision of the Ministry of Education and Human Resources, Tertiary Education and Scientific Research for the Special Education Needs (SEN) sector is that no child is left outside the education system on the basis of his/her physical disabilities.

156. With a view to ensuring that all children, irrespective of socio-economic status, physical capabilities/disabilities, gender or race, have access to education, the Education and Human Resources Strategy Plan 2008-2020 sets the framework to ensure that, by 2020, all children requiring Special Education Needs in Mauritius enjoy access to relevant and high quality SEN education. The objective of SEN is to enable the effective inclusion and integration of all children with visual, hearing, autism and intellectual/mental handicaps.

157. As at March 2016, there were 66registered SEN schools in the Republic of Mauritius catering for children with physical problems relating to visual, learning, hearing and intellectual (slow learning) and autism. Thirteen of these schools are being run by Government and the remaining ones by NGOs.

158. As at end 2016, the number of students enrolled in these schools has steadily increased as shown in Table below. This is in line with the social objective of Government to fully integrate disabled and physically handicapped children within the education stream.

Enrolment in SEN schools (2011-2016)

Year	*2011*	*2012*	*2013*	*2014*	*2015*	*2016*
No. students	1 853 (62% boys)	1 862 (63% boys)	2 008 (63% boys)	2 291 (63% boys)	2 301 (64% boys)	2 515 (64% boys)
% Increase (compared to year 2011)		0.5%	8%	24%	24%	36%

Source: Ministry of Education and Human Resources Tertiary Education & Scientific Research.

159. Fifty-three NGOs are also involved in the provision of SEN education thus complementing the efforts of Government in this specialised field. New integrated units in government primary schools and registered new SEN schools run by NGOs have been set up to cater for different disabilities. Five Special Education Needs Resource and Development Centres (SENRDCs) have been set up around the island with a view to providing the specialised support, equipment and training to those severely handicapped that the SEN schools and Units cannot. Registered SEN Schools (NGOs) receive a Grant-in-Aid from the Ministry of Education. SEN Children with disabilities are provided free transport and the accompanying parent's transport is refunded by the Ministry of Social Security, National Solidarity and Reform Institutions.

160. The Ministry of Education and Human Resources, Tertiary Education and Scientific Research has taken several new measures for the inclusion and integration of children with Special Education Needs so as to ensure that no child is deprived of education on account of any form of impairment or disability. These are, inter alia:

(a) The registration procedures for Special Education Needs children have been reviewed. An intensive campaign is being carried out to persuade and encourage parents to register their wards in the nearest primary schools;

(b) Schools are being retrofitted with ramps to facilitate access to the classrooms;

(c) All new secondary schools constructed have already been provided with adapted toilets for the disabled;

(d) Facilities like music room, library, science laboratory, computer room are available on the ground floor where necessary. In primary schools, Head Masters usually make arrangements to move the whole class to the ground floor wherever necessary;

(e) Educators are encouraged to provide individual extra assistance to children with disabilities so as to allow them to keep pace with their classmates;

(f) Children with disabilities benefit from extra time for the CPE examination;

(g) Enlarged print school books/manuals and question papers are produced for children suffering from visual impairment;

(h) A Mauritian Sign Language has been developed to ease communication for children with deafness; and

(i) Children with hearing impairment are provided with the service of sign language interpreters for the purpose of examination.

Introduction of mother tongue in primary schools

161. In line with internationally accepted best practices, Government encourages the use of mother tongues to facilitate teaching and learning. With a view to promoting teaching of the mother tongue, the *Kreol Morisien* was introduced in Standard I in 2012 as an optional subject. Bhojpuri has also been integrated during the same year, as a corollary of Hindi Language, in Standard I. Implementation is being pursued incrementally for the teaching of *Kreol Morisien* across the primary cycle. As at 2016 the first batch of pupils studying Kreol

Morisien is in grade 5. The *Kreol Morisien* is an examinable subject for end of year primary examination on the same lines as other optional languages.

162. The Prime Minister's Office, the Rodrigues Regional Assembly and the University of Mauritius have, on 20 June 2016, signed a Memorandum of Understanding to collaborate with regard to the conduct of a study on the linguistic and ethnographic specificities of Rodrigues. This collaboration is based on the fact that language and cultural rights are provided in several of the Human Rights Conventions to which Mauritius have adhered.

163. Universal primary education has been achieved. The Gross Primary Enrolment Rate (GER) has stabilised to around 100 per cent over the last decade, whilst the Net Primary Enrolment Rate (NER) has gradually improved to reach 98-99 per cent over the period 2000-2014 with a gender parity index of 1.0 which suggest that children everywhere boy and girls alike successfully complete the full course of primary cycle.

164. As depicted in the Table below, whilst the Gross Enrolment Ratio (GER) has shown a decrease from 2010 to 2013 and has stabilised from 2013 to 2016. The survival rate which is the proportion of pupils starting Standard 1 and culminating in the completion of the primary cycle has remained stable at around 98% from 2010 to 2016.

Evolution of the GER and the survival rate

Year	*2010*	*2011*	*2012*	*2013*	*2014*	*2015*	*2016*
GER	101	100	99	98	97	97	97
Survival rate	98.2	98.1	97.4	97.8	97.6	98.1	96.9
% change in survival rate		-0.10	-0.81	-0.41	-0.61	-0.10	-1.32

Source: Ministry of Education, Human Resource Tertiary Education & Scientific Research. Human Development Reports 2015 & 2016.

Technical and Vocational Education

165. Prevocational streams have been established for those who fail the Certificate of Primary Education (CPE) examination twice and an Industrial Vocational Training Board (presently known as the Mauritius Institute of Training and Development) for technical/vocational education has been set up for that purpose. Since 2013 even those who fail CPE for the first time may, if they wish, may join the pre-vocational stream.

166. In 2014, there were 8, 290 students (70% were males) in publicly funded technical and in 2013, there were 10,463 students (of whom 72% were males) enrolled in publicly funded technical and vocational courses compared to 10,116 in 2012 and 10, 463 in 2013. In 2014, 33% of the students were enrolled in full-time courses, 51% in part-time courses and the rest (16%) in apprenticeship courses. In 2013, the figures were as follows: 43% of the students were enrolled in full-time courses, 45% in part-time courses and the rest (12%) in apprenticeship courses. In 2015 there were 6,884 students enrolled in MITD Centres.

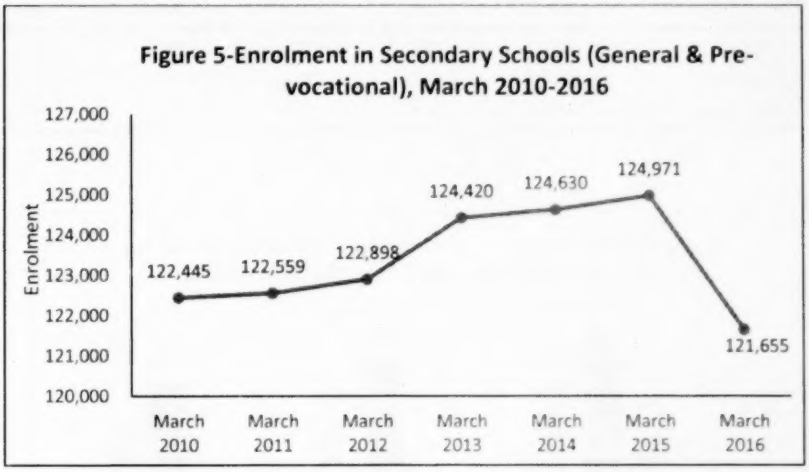
Secondary and Pre-vocational Education

167. As at March 2016 the number of secondary schools offering both general and pre-vocational education stood at 112 while 61 schools were offering general education only and two pre-vocational education only. Out of the 173 schools dispensing secondary general education, 166 were in the Island of Mauritius and 7 in Rodrigues. There were 68 State administered schools, while the other 105 were private aided and non-aided schools.

Enrolment

168. In 2016, the secondary school enrolment in the general stream was 111,863 which represented a 2.1% decrease as compared to 2015. 52% of the enrolment was girls in both 2015 and 2016. Around 44% of the secondary school population was in state schools and 56% in private (aided and unaided) schools. The Gross Enrolment Ratio (secondary education enrolment as a percentage of the population aged 11 to 17 years) for the general

and pre-vocational stream was 90% in 2016 as compared to 86% in 2010. The graph below shows a steady rise in total secondary (including pre-vocational) enrolment from 2010 to 2015, which includes a sharp increase in 2013, following the introduction of the new Pre-voc Strategy whereby the pre-vocational stream was extended from 3 to 4 years. This was followed by a sharp decline from March 2015 to March 2016.



Source: Education Statistics 2016.

169. As at March 2016, 114 schools were offering pre-vocational education, 107 in the Island of Mauritius and 7 in Rodrigues. Enrolment in the schools offering pre-vocational education was 10,660 comprising 6,976 boys in 2015 and 9, 792 comprising 6 427 boys in 2016. Boys pre-dominate in secondary pre-vocational classes representing around 65% of enrolment in 2015 and 66% in 2016. The number of teachers working in secondary schools offering general and pre-vocational education decreased by 114 from March 2013 to reach 8,410 in March 2014. The number of teachers increased by 922 to reach 9, 359 in March 2016.

Cambridge School Certificate

170. The number of students who took part in the Cambridge School Certificate Examination from 2012 to 2015 and the pass rates are shown below and a comparison with the 2012 results shows that the overall pass rate decreased slightly from 75.7% in 2012 to75.0% in 2013, 73.4% in 2014 and 72.5% in 2015.

Year	*2012*		*2013*		*2014*		*2015*	
No of students who took part in the examination	16 885		15 890		15 632		15 675	
% male/female who took part in the examination	46	54	46	54	45	55	46	54
% pass rate male/female	69.6	81.0	70.3	78.9	70.1	76.1	67.9	76.4
Overall pass rate	75.7%		75%		73.4%		72.5%	

Source: Education Statistics 2016.

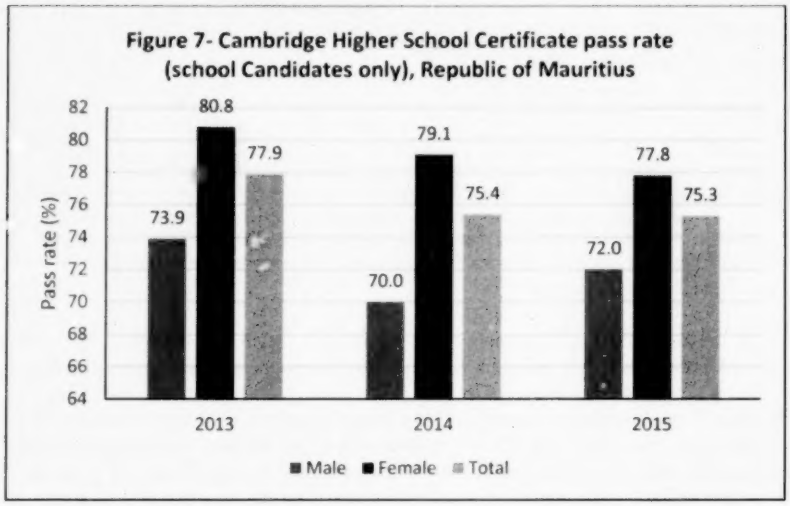
Cambridge Higher School Certificate

171. As regard the number of students taking part in the 2013 Cambridge Higher School Certificate examination stood at 10,287, of whom 58% were females. The overall pass rate is 77.9%, lower than the 2012 figure of 79.1%. The number who took part in the same examinations in 2014 stood at 10, 429 of whom 59% were females. The overall pass rate was 75.4% lower than that of 2013. The number of students who took part in the 2015

examination stood at 10, 285, of whom 58% were females. The overall pas rate was 75.3%, lower than the 2014 figure of 75.4% as shown in Figures below:

Higher School Certificate Pass Rate

Year	*2011*	*2012*	*2013*	*2014*	*2015*
% pass boys	75.3	74.8	73.9	70.0	72.0
% pass girls	82.3	82.2	80.8	79.1	77.8
Overall % pass	79.3	79.1	77.9	75.4	75.3



Source: Education Statistics 2015 & 2016.

Nine year schooling

172. The Government is fully determined to do away with the present CPE system which leads to an elitist system with the introduction of the nine-year schooling as enunciated in the Government Programme 2015-2019 and highlighted in the Budget 2015-2016. The new system which has already been put in place as from academic year starting January 2017will provide for the availability of alternative routes/pathways offering a wide range of options (academic, technical, vocational etc.) to students.

173. The Nine Years of Continuous Basic Education (NYCBE) lays a strong foundation from which to build future learning. The specific objectives of the NYCBE are accordingly to:

(a) Equip all students with knowledge, foundational skills and attitudes that will guarantee success to all in their future learning. This has to start right from the early childhood phase;

(b) Promote the holistic and integral development of learners; and

(c) Achieve a smooth transition to and completion of secondary education.

174. The reform provides for the setting up of an *Early Support Programme (ESP)* which will provide timely remediation for pupils having learning difficulties as from grade 1, thus reducing accumulation of learning deficits. Support teachers have been recruited to ensure the implementation of this programme.

175. This approach is expected to eliminate dropouts in the system as it will keep the children at schools for a much longer time and, simultaneously, addressing the issue of

street children as well. The three additional years (Lower Secondary) following the first six years in the Primary should be decisive for the student to develop his/her personality, critical analysis and skills. Besides, the Career Guidance Service will be revamped and reactivated and made more efficient.

Other Incentives to the poorer households attending primary and secondary schools

176. Several measures have been announced in the 2016-2017 National Budget Speech to assist students from the poorer households as follows:

(i) To encourage students from poor families to achieve higher levels of education, Government will be giving them cash awards upon successful completion of the Nine Year Schooling, the School Certificate and Higher School Certificate levels, respectively. This money will remain in the bank accounts of the student to be cashed when they attain the age of 18 in order for them to pursue higher studies or start up a business; and

(ii) A second chance is being given to students from poor families for a resit of their SC and HSC examinations. The fees payable will be borne by Government. The eligibility will be based on:

(a) The families appearing on the Social Register of Mauritius; and

(b) The students must have passed their exams and would wish to improve their results.

Tertiary education

177. As at December 2015, the total number of students (part-time and full-time) enrolled on tertiary-level programmes (including Distance Education) was 48,970 as compared to 50, 608 in December 2014, 50,579 in December 2013 and 49,625 in December 2012. The Table below shows the evolution of total tertiary enrolment over the period December 2011 to December 2015. The total enrolment which rose appreciably from 2011 to 2013 stabilised in 2014 and decreased significantly in 2015:

Enrolment in Tertiary Education, December 2011-December 2015

Year	*2011*	*2012*	*2013*	*2014*	*2015*
Enrolment	45 969	49 625	50 579	49 625	48 970

Source: Education Statistics 2016.

178. The majority of students (77%) were enrolled in tertiary education locally in both public-funded institutions (44%) and private institutions (33%).The remaining 23% of the students were enrolled in tertiary education overseas. The Gross Enrolment Ratio (tertiary education enrolment as a percentage of the population aged 20 to 24 years), which was 50.7% in 2012, decreased to 50.1% in 2013, 49.2% in 2014 and 47.4% in 2015.

Gender Parity Index

179. The Gender Parity Index (GPI) is defined as girls' gross school enrolment ratio divided by the corresponding ratio for boys and the parity is reached when the figure obtained is between 0.97 and 1.03. The Gender Parity Index (GPI) for education in Mauritius is 1.0 since 1990 as in Mauritius boys and girls are equally likely to enrol in primary school. At secondary and tertiary levels, girls are more likely to be enrolled than boys as shown below:

GPI by level of Education	*2010*	*2011*	*2012*	*2013*	*2014*	*2015*	*2016*
Primary	1.00	1.00	1.00	1.01	1.01	1.01	1.01
Secondary	1.07	1.07	1.07	1.06	1.05	1.06	1.07

GPI by level of Education	2010	2011	2012	2013	2014	2015	2016
Tertiary	1.29	1.39	1.39	1.31	1.31	N/A	N/A

Source: Digest of Education Statistics 2015 & 2016.

Government expenditure on education

180. The State provides adequate funding for education, occasionally straining tight budgets and even subsidizing a great part of the expenditure in grant aided secondary schools, that is, schools under the control of privately owned institutions. The actual expenditures of the Ministry of Education and Human Resources, Tertiary Education and Scientific Research are shown below:

	Year				
Expenditure	2011	2012	2013	2014	2015 2016
Total Government Expenditure (Rs million)	87 816.2	89 101.5	102 924.1	106 693.3	112 833.8
Total Government Expenditure on Education (Rs million)	**11 017.4**	**11 986.1**	**12 012.4**	**12 720.1**	**14 674.0**

Source: Ministry of Education and Human Resources, Tertiary Education and Scientific Research.

Article 15 — Right to cultural life and to benefit from scientific progress

Promotion of arts and culture

181. The Mauritian Nation is a multicultural community comprising of descendants of migrants hailing from Africa, Asia and Europe. The Ministry of Arts and Culture celebrates several festivals and commemorative events at national level along with a significant number of other artistic and cultural events on the basis of an elaborate annual Calendar of Activities duly approved by Government, to ensure the promotion of all aspects of cultural heritage and to encourage artistic creation. All major cultural celebrations are marked by public holidays to enable the entire population to understand, appreciate and participate therein.

182. The policy of Government is to provide financial and institutional support to ensure that all practised aspects of arts and culture in Mauritius are preserved and promoted. Financial and other support are provided to artists and groups of artists to encourage artistic creation. The Ministry has also two theatre halls which are put at the disposal of the artist community at a reduced rate with a view to promoting arts and culture and encouraging the Mauritian public to attend cultural events.

183. Participation in reading, artistic and cultural activities have been encouraged and promoted by the establishment in different regions of *'Centre de Lecture Publique et d'Animation Culturelle'*. Three *"Centres de Formation Artistique"* have been set up to provide training in various art forms. Assistance is provided to local artists through the Ministry of Arts and Culture. The scope of the President's Fund for Creative Writing was extended from English language only to all languages written and spoken in Mauritius to give a boost to Mauritian literature.

184. To preserve and enhance access to cultural heritage of mankind, the following institutions have been set up:

- National Heritage Fund (NHF)

The National Heritage Fund (NHF) which was set up in 1997 has been actively promoting our tangible and intangible heritage. Following the ratification of the Convention on the Safeguarding of the Intangible Cultural Heritage and in its endeavour to safeguard the Intangible Cultural Heritage, the NHF has initiated research to make an inventory and document its Intangible Cultural Heritage. Sega Tipik is the first element to have been inscribed on the Representative List of the Intangible Cultural Heritage of Humanity in December 2014. It comes mainly from the Creole community of African descent whose ancestors had been slaves on the Island of Mauritius. The nomination dossier for Bhojpuri Folk Song and Music has already been submitted to UNESCO for examination in 2016. The NHF is also working on the nomination dossiers of the Sega Tambour of Rodrigues and Sega Chagos.

- Aapravasi Ghat Trust Fund (AGTF)

  The Aapravasi Ghat was inscribed on the World Heritage List of UNESCO on 16 July 2006. The AGTF is responsible for the promotion of the Aapravasi Ghat World Heritage Site as a national, regional and international memorial site. In June 2011, the Planning Policy Guidance for the Aapravasi Ghat Buffer Zone was issued to protect and sustain the Outstanding Universal Value of the Aapravasi Ghat World Heritage Site. The objective is also to preserve and enhance the inherent qualities, urban character and cultural significance of the Buffer Zone.

- The Beekrumsing Ramlallah Interpretation Centre

  The Interpretation Centre project was initiated in 2010 to promote World Heritage and its Outstanding Universal Value while allowing access to the public. The project has now been completed and was inaugurated on 2nd November 2014. The Centre proposes a dynamic permanent public programme including educational and outreach activities at sites and in schools (an average of 100 schools is visited per year since 2010).

- Le Morne Heritage Trust Fund(LMHTF)

  The Le Morne Cultural Landscape was inscribed on the UNESCO World Heritage List on 10 July 2008. The LMHTF is responsible for preservation and management of the Cultural Landscape of Le Morne so that it can be used in a wise and sustainable manner that is fully cognisant of its Statement of Universal Value, and without compromising its Authenticity and Integrity.

- The Conservation of Indentured Sites

  Several conservation projects were completed (Aapravasi Ghat, Vagrant Depot) or under way (Trianon Heritage Site) to restore heritage associated with indenture. Indenture Labour Route deals with the establishment of a network between countries which have experienced indenture. The purpose is to share data on projects related to indenture. This project is based on the model of the Slave Route Project established by UNESCO. The proposal from Mauritius was supported by the UNESCO Executive Committee in October 2014. So far, the AGTF has conducted several projects to collect elements of Intangible cultural Heritage throughout the island. 60 elements were thoroughly documented and this research has led to the publication of 10 books authored by the AGTF.

185. Apart from providing subsidies/grants to religious bodies, Government has, in line with its objective to promote racial harmony and unity in diversity for the preservation of our rich cultural heritage and promotion of languages, set up Trust Funds, Cultural Centres, Speaking Unions and Heritage Funds. These are expected to allow Mauritians of all cultural backgrounds the opportunity to participate in religious and cultural activities of their choice and to foster harmony and mutual respect. The following institutions have been set up by way of legislations:

(a) National Heritage Fund

(b) Aapravasi Ghat Trust Fund

(c) Board of Film Censors and Stage Play Censors

(d) Centre de Lecture Publique et d'Animation Culturelle

(e) Le Morne Heritage Trust Fund

(f) Islamic Cultural Centre Trust Fund

(g) Nelson Mandela Centre for African Culture Trust Fund

(h) Mauritian Cultural Centre Trust

(i) Malcolm de Chazal Trust Fund

(j) Mauritius Council of Registered Librarians

(k) Mauritius Museums Council

(l) Rights Management Society

(m) National Library

(n) National Archives Department

(o) Prof. Basdeo Bissoondoyal Trust Fund

(p) President's Fund for Creative Writing

(q) Ramayana Centre

(r) Conservatoire National de Musique François Mitterand

(s) Mauritius Film Development Corporation

(t) Mauritius Marathi Cultural Centre Trust

(u) Mauritius Tamil Cultural Centre Trust

(v) Mauritius Telegu Cultural Centre Trust

(w) National Art Gallery

(x) Hindi Speaking Union

(y) Arabic Speaking Union

(z) Bhojpuri Speaking Union

(aa) Chinese Speaking Union

(bb) Creole Speaking Union

(cc) English Speaking Union

(dd) Marathi Speaking Union

(ee) Sanskrit Speaking Union

(ff) Tamil Speaking Union

(gg) Telegu Speaking Union

(hh) Urdu Speaking Union

186. The lowest amount of Government grant allocated is Rs 5b, 000 and the highest so far is Rs 15.9 Million in the 2016/2017 budget. The grants are meant for the activities and administrative expenses of the bodies which have been set up to promote languages and cultures in Mauritius.

187. To protect the right of authors and for the protection of the integrity of their work the following measures have been taken:

(a) The Copyright Act of 1997 has been reviewed and replaced by the Copyright Act 2014 which provides for the protection of the economic and moral rights of authors; and

(b) The Anti Piracy Unit of the Police Department, the Mauritius Revenue Authority, the Industrial Property Office and the Rights Management Society are involved in the fight against piracy and responsible for the enforcement of the Copyright Act.

183. To promote the diffusion of arts and culture, the following measures have been taken by Government:

(a) Financial assistance is provided by way of grants under the 'Assistance Scheme to Artists', for the local production of cultural goods and 'International Development Grant' to encourage the development of Creative Industries in Mauritius. The assistance provided to artists from 2009 and 2015 is as follows:

Year	*Assistance Scheme to artists Rs*	*International Development Grant Rs*
2009	510 000	Was implemented as from 2010
2010	750 000	1 587 247
2011	795 000	2 946 120
2012	1 215 000	1 306 172
2013	3 852 528	1 044 899
2014	1680 000	267 900
2015	1 620 000	831 776
2016	3 158 450	644 121

Source: Ministry of Arts and Culture

(b) International exposure is given to artists through financing their participation in events of worldwide repute under the 'International Development Grant Scheme'. Cultural entrepreneurs and artists have been empowered through the different forms of assistance and incentives, thereby promoting the cultural industry to ensure sustainable development.

(c) The Ministry of Arts and Culture ensures respect for cultural diversity by promoting cultural pluralism through cultural exchanges with foreign countries. The Cultural Exchange Programmes which Mauritius has with friendly countries, such as India, Egypt, Seychelles and China provide for exchanges of artists, groups of artists, exchange of documentation as well as exchange of professionals in various artistic and cultural fields; and

(d) The Ministry of Arts and Culture also provides financial assistance to artists with disabilities for their creative works and encourages their participation in programmes at national level.

184. However, although the social status of artists has improved considerably and the importance of quality performances and creativity are valued, the protection of artists' rights is yet to be fully accomplished. Government, therefore, intends to come up with a new legislation which shall acknowledge the rights of artists for the creation, distribution and enjoyment of their cultural goods and services.